

THE DOMINIONS AND COLONIAL OFFICES

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THE DOMINIONS AND COLONIAL OFFICES

By

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the Colonies 1916-1921.*

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PREFACE

“THE Colonial history of Britain presents a prospect so wide and so diversified; it is so rich in great enterprises and strange events, so abundant in economical lessons, and carries our attention from point to point over so vast a portion of the Earth's surface; that selection and compression appear almost equally difficult”—and the present writer, in attempting a sketch of the Colonial Office and its work, has been painfully impressed with the truth of Merivale's observation. Both selection and severe compression have been necessary. It may seem as though, in some of his selections, the writer has travelled rather far from his subject; but the administration of the Empire is team work; the activities of the Office are interwoven with those of their comrades overseas, on whom the burden mainly falls; and it would be impossible, without intolerable prolixity, to indicate where one ends and the other begins. It should be understood, even where not apparent on the face of the narrative, that all the matters treated here have been associated with a continuous flow of Departmental work—whether of criticism, decision, initiation, or direct executive action.

The Public Offices in the past have been somewhat of a mystery to the general public; their operations, save in the results, have been shrouded from the public gaze; and to some extent they

PREFACE

have suffered thereby. It has distinctly not been an instance of *omne ignotum pro mirifico*. Any attempt to lift the veil, though ever so slightly, would have appeared to a former generation of public servants as an act akin to indecency. But under the influence of modern journalism a taste for intimate detail has grown up, and there is no reason, in this case, why it should not to some extent be gratified so long as the wholesome tradition of anonymity in the public service is respected. The Dominions and Colonial Offices, at any rate, have nothing to lose, and much to gain, by a wider knowledge of their composition and methods.

The writer's thanks are due, in the first place, to the Secretary of State for Dominion Affairs and the Colonies for a cordial permission to enlist the assistance of his former colleagues in checking matters of fact; to the latter for their ready response to any requests for help in this direction, and in particular to Mr. E. E. Wilkinson, M.B.E., the Librarian of the Colonial Office; to the Crown Agents for the Colonies and the Director of Colonial Audit; and to the Editors of the "Colonial Office List."

He has not been desirous of obtruding expressions of opinion; but where these are to be found, or inferred, in the course of the work, he wishes to make it clear that they are personal opinions only—which, it is quite possible, would not always be endorsed in other quarters.

May 1926.

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PART I

THE OFFICIAL MACHINE

Chapter I

INTRODUCTORY

THE Dominions and Colonial Offices may fairly claim to comprise the greatest institution of the kind that the world has ever known. They are directly interested in the conduct of affairs in about fifty separate administrations, controlling an area of upwards of two millions of square miles, in every quarter of the globe. The welfare and the material interests of some fifty millions of human beings—among whom are to be found nearly every branch of the human race and every degree of civilization—can be profoundly affected by the acts of the Secretary of State and his Department. Looking at the material side, the combined revenues of these administrations amount to about £55,000,000, and the total trade of their territories to some £450,000,000, annually.

In the past the Colonial Office itself was responsible for the constitutional development of the great territories which have now attained to international recognition as political entities within the British Empire; and although it had long ceased to have

any direct concern in their internal affairs, it remained the channel through which the relations of the Dominion and Home Governments were conducted. The Secretary of State for the Colonies still selected their Governors-General and Governors; in his room their Ministers assembled periodically for the consideration of the problems of Empire, and he played a leading part in their deliberations; his staff were charged, on behalf of the Dominions, with the arrangement of, and preparations for, the subjects of discussion; and in the intervals of such conferences it was their duty to press forward the measures necessary for giving effect to conclusions reached therein as well as, in the daily business that flowed in from overseas, to act as the exponent to other Departments of the views and requirements of the Dominion Governments. As explained in Chapter XIX, this part of the Colonial Office work has now been transferred to the Dominions Office which was created in 1925.

It has been unfortunate for the Colonial Office that, in its earlier days, it was saddled with a load of unpopularity from which it has only very slowly freed itself. Whether the fault lay with Cabinets, Secretaries of State, or with the Department as such, or with all, it would be unprofitable to inquire. The high-water mark of opprobrium was reached between 1840 and 1850, and no one contributed more to that position than Lord Glenelg who was Secretary of State for Colonial affairs from 1835 to 1839. One of his earliest acts—his refusal to sanction Sir Benjamin D'Urban's extension of the Cape boundaries—had forced the resignation of a very

popular Governor who enjoyed the full confidence of the Colony. Faced with trouble in Canada, his vaguely liberal views procured for him the hostility of the Crown, while his weakness and vacillation prevented him from doing anything effective to avert the crisis. The rebellion that broke out was soon quelled by Sir Francis Head, the Lieutenant-Governor of Upper Canada; but he could get no decision from Glenelg as to his policy, and he also resigned. Lord Durham was appointed Governor-General with extraordinary powers, and he too resigned when Glenelg, who had begun by supporting one of his acts, declared it to be illegal after it had been condemned in the House of Lords. Lord Glenelg had already been subjected to damaging attacks in Parliament, and some of his colleagues in the Melbourne Cabinet now declared to the Prime Minister that either they or Glenelg must go—and Glenelg went.

Nor did the permanent officials escape. Sir James Stephen, who was Permanent Under-Secretary of State from 1836 to 1847, and whose main object in official life had been the total abolition of slavery, was the subject of ceaseless attack; he was taunted as "King Stephen," "Over-Secretary Stephen," satirised by Charles Buller as "Mr. Mother-country"—and the gibe was repeated with gusto in the House of Commons.

Debates in Parliament on Colonial affairs were almost incessant during that period, and Gladstone, Disraeli, Roebuck, and Joseph Hume were among the regular contributors to them. Most pertinacious, and most bitter of them all, was Sir

William Molesworth who, by the irony of fate, was to spend the last three months of his life as Secretary of State for the Colonies. It was an age of full-blooded Parliamentary eloquence, and a few specimens of Sir W. Molesworth's invective, when introducing (without success) a resolution that was in effect a vote of censure on Colonial Office policy for many years past, will sufficiently indicate the vehemence of his attacks:—"The Colonial Office laid claim to omnipotence and infallibility in all matters concerning the Colonies" . . . "The Boers, ever striving to escape from our hated tyranny, and preferring to dwell amidst wild beasts and wilder men, to the detested dominion of the Colonial Office" . . . "It would be easy to take colony after colony, and show in each a series of lamentable blunders which have been committed by the Colonial Office" . . . "The war of races was stimulated in Canada; the ruin of the planters was made inevitable in the West Indies; a valuable portion of our fellow-subjects in South Africa were driven into the desert and became rebels; the immorality of Van Diemen's Land was fearfully augmented; the colonization of New Zealand was spoilt; Vancouver's Island was thrown away—all through the ignorance, negligence and vacillation of the Colonial Office."

With such views unceasingly hammered into the public mind, it is not surprising that a popular conception of the Colonial Office as an inefficient, soulless and arbitrary body grew up and persisted long after it had ceased to bear any resemblance to the facts. The following pages may serve to

show the extent to which, during the last fifty years, the Office has shaken itself free from its earlier traditions; its development of an organization equal to the great and increasing responsibilities thrust upon it; its present methods of dealing with its varied work; and, possibly, somewhat also of the spirit in which that work is now performed.

Successive Secretaries of State, in farewell messages, have given generous recognition to the efforts of their staff; and the present holder of the office—the Rt. Hon. L. S. Amery—recently gave public expression to his view of the Department when speaking of the decision to create a Dominions Office:—“No improvements in administrative structure would be worth making if they involved any impairment of that great tradition of devoted public service, that unrivalled store of experience, that high faith in Britain’s mission and obligation to other races, which have made the Colonial Office what it is to-day. No one knows better than those who have worked closely with the members of that great office, whether it be from within the political realm of government, or from the Colonial Service outside, the greatness of the debt which the Empire owes to the Colonial Office.”

Chapter II

THE OFFICIAL ORGANIZATIONS

THE first attempt at centralized administration of Colonial affairs was made in 1660. In July of that year a Committee of the Privy Council "for the Plantacons" was appointed by Letters Patent, followed in December by further Letters Patent creating a "Council of Foreign Plantations." Among the duties assigned to this Committee were: to require Governors to send an account of their affairs and constitution of their Laws and Governments; to order and settle a continual correspondence with Governors; care to propagate the Gospel; strict orders and instructions to be sent for regulating and reforming debaucheries of planters and servants; to inquire into the Governments of foreign plantations, and if good and practicable to apply them "to our own Colonies."

In 1672 this Committee was united by Letters Patent to the Council for Trade, and thenceforth known as "the Council for Trade and Plantations." It was suppressed in 1677, its functions being transferred to the Privy Council, and reconstituted in 1695, from which date it continued to exist until 1782, when it was finally abolished.

During its latter years a Secretary of State appears on the scene. Sir Edward Troup, in the second chapter of his volume on the Home Office in this series, has given a clear and interesting

account of the evolution of the office of "Secretary of State" from the twelfth century to the present time, and to it the reader must be referred. Owing to the growth of business in connection with the North American Possessions, a Secretary of State for the (American) Colonies was appointed in 1768, in addition to the two Principal Secretaries of State already in existence, and the office continued, side by side with the Trade and Plantations Council, until the loss of the United States put an end to both.

Burke's Act of 1782, abolishing this Secretary of State's office, gave power to delegate to a Committee of the Privy Council all the functions hitherto exercised by the Council for Trade and Plantations, and, pending the appointment of such a Committee, colonial affairs were conducted by a subordinate branch of the Home Office, styled "the Office for Plantations." Orders-in-Council of 1784 and 1786, under Burke's Act, established the "Committee of Trade and Plantations" to which was then transferred the business of the Plantations Branch. That business, however, still remained under the direction of the Home Secretary, until in 1801 it was effectively transferred to the Secretary of State for War—a post created seven years previously as a result of the outbreak of war with France, the holder of which had for that period been nominally in charge of colonial affairs.

This arrangement lasted for another fifty years. Then, even as one war had brought Colonial business to the War Office, so another war took it away. In 1854, under the pressure of the Crimean War,

the War Office was relieved thereof, and a Secretary of State for the Colonies was appointed.

The Secretary of State for the Colonies is the Colonial Office. Whatever is done there is done by him or under his authority, express or implied. Every despatch to a Colonial Governor bears his signature, and every letter emanating from the Office states "I am directed by the Secretary of State for the Colonies to . . ." He appoints to all vacancies in the staff of the Office, from the Permanent and Parliamentary Under-Secretaries of State downwards; and it is expressly declared by the Order-in-Council of 1870, which established the principle of entrance into the Civil Service by competitive examination, that all such entrants hold office during his pleasure.

In 1901 a former Assistant Under-Secretary of State* in the Colonial Office could write:—"twenty years ago, every despatch went to the Permanent Under-Secretary, and probably three-fourths of the correspondence was seen by the Secretary of State." Nowadays both of these statements would be absurdly wide of the mark.

It is obvious that, with the steady growth of correspondence, the proportion of papers on which the Secretary of State can record a personal decision must grow less and less. Even if he were able to devote the whole of his working days to the study of papers this would still be the case, but in practice his position is very different. Not improbably, the

* Sir John Bramston: "The Colonial Office from Within," in the *Empire Review* for April 1901.

major part of his time in his working hours at the Office is taken up with interviews; he is a Parliamentary and a Party man, with Parliamentary and Party preoccupations; and if he be a member of the House of Commons he has to put in long hours of attendance there. He has, it is true, his room at the House where during his evenings he can attempt to grapple with the boxes of papers that travel over to him; but even there he is not secure from many and grievous interruptions from colleagues, supporters and opponents alike.

In such conditions it is evident that by far the greater part of the Office work must be conducted, and its decisions taken, without the direct cognizance of the Secretary of State; and the Permanent Under-Secretary of State, whose duty it is to relieve him so far as may be practicable and proper, labours under a similar, though naturally lesser, disability. Common sense has provided the remedy, by a progressive delegation of the Secretary of State's authority, and devolution of responsibility from time to time, as necessitated by the growth of public business.

Nevertheless the Secretary of State remains responsible for every act done in his name; and if mistakes are made he, and he alone, must answer for them to Parliament. If such a case ever should arise, it is the unwritten law—unwritten but faithfully observed—that he will not seek to evade or diminish his responsibility by reference to erroneous advice which he may have received from any member of his department; and indeed any such plea would not only fail of its effect in Parliament but would be

met with severe criticism. It is, therefore, of grave importance to Ministers of the Crown that those whom they are compelled to trust should be very carefully selected—not only in the highest ranks but throughout the Departments, so that young entrants into the Service may by their intellectual qualifications and by the training which they receive in their Office, be fitted, when in course of promotion they rise to the higher posts, adequately to discharge their duty to their Parliamentary Chief.

A remarkable series of Reports was submitted, from 1848 onwards, by the Treasury Committees of Enquiry into the Public Offices which formed the basis of the great reform of the Civil Service in 1870. In the report (1849) on the Colonial Office the Committee described as follows the conditions which they found to be then in existence :—

“The training which the present constitution of the body of the Establishment affords is by no means calculated to develop the talents required for the successful transaction of the serious business of the Office. While the functions of the Colonial Office are remarkable for their variety, importance and difficulty, and experience and ability of a high order are necessary for their proper performance, the official education partakes in a great degree of a mechanical character. Although there is a separate department of the Office in which persons on the footing of Law Stationers’ clerks are employed, under the superintendence of a clerk, in copying official papers, the greater part of the work of this description is still done by the gentlemen on the Establishment, who are also charged with the duty

of making up, directing, and sealing the despatches and of keeping, arranging, and producing, as occasion requires, the current papers of the Office. The first years of official employment are those in which the knowledge, the self-confidence, and the aptitude for business required for the proper discharge of difficult and responsible duties should be obtained; and it is much to be regretted that persons likely to succeed to important situations in the public service should have occupations assigned to them at this critical period of life which are unimproving and unsuited to their education and prospects, and as such likely to give them a distaste for their profession."

Prior to 1858 the staff was recruited by direct nomination by the Secretary of State. From that year vacancies were filled by nomination, followed by examination, and 1877 saw the first arrival of recruits under the system of open competitive examination in accordance with the Order-in-Council of 1870. The underlying idea of that Order was the separation of administrative functions from those requiring little more than an intelligent comprehension of routine work, and the division of the Civil Service into two grades—the "Upper" and the "Lower" Divisions, the number of the former being reduced accordingly on the basis of "fewer men, more work, more pay," with anticipated economy in the total cost to the nation.

Immediately prior to 1872 the "Establishment" (corresponding to the subsequent "Upper Division") consisted of 26 individuals. From 1872, when the reorganization under the Order-in-Council became effective, the total number was

reduced from 26 to 18, while provision was made for the discharge of "routine" duties by the addition of a certain number of clerks of, or corresponding to, the new Lower Division.

Doubtless the authors of the reorganization scheme had hoped for a certain measure of permanence as the result of their labours, but events were too strong for them. Though the basic principle has remained (more or less) intact, and has in the main survived the attacks made upon it from time to time, the application of it to the Colonial Office—as indeed to all Departments—has changed steadily, and at frequent intervals, throughout the last half-century as to nomenclature, duties and numbers alike. It would be tedious, and of little interest to the general reader, to follow these in detail, and indeed they belong rather to a history of the Civil Service than to that of any particular Department. The 18 or 19 Clerks of 1874 have increased to over 60; and whereas Sir John Bramston in 1901 (*cf.* p. 10) could compute that the Office was manned in 1880 by 60 of all ranks—from Under-Secretaries to messengers—and by 99 in 1900, the corresponding number in 1924 was in the neighbourhood of 220. The cost of the Office (as shewn by the Parliamentary Estimates) has risen from £35,000 in 1870, and £37,000 in 1880, to £42,000 in 1890, £60,000 in 1914, and £177,000* in the current financial year (1925-6).

These figures are somewhat startling, and merit

* For the purposes of this comparison £17,000 should be deducted from the £177,000, being the cost of (1) the Oversea Settlement Department which, for the most part, worked inde-

strict scrutiny; but before conclusions are drawn from them unfavourable to the Colonial Office, as regards either its cost, or the number of its staff, or their rates of pay, there are certain considerations which, in fairness, must be borne in mind. •

Great as are the powers of the Secretary of State in his own sphere, he cannot add even a messenger to his staff, or increase the pay of any member, without the consent of the Treasury, which is only given after jealous and prolonged examination, and the presentation of an overwhelming case. The numbers of any staff—whether in official or unofficial circles—must bear some relation to the volume of work to be done. While the numbers of the registered despatches and letters received and sent are no exact guide, they afford a rough indication of the comparative amounts of business transacted; and these numbers were approximately: 42,000 in 1885, 96,000 in 1905, 193,000 in 1915, and 272,000 in 1924. In other words, while in the last 40 years the staff has increased somewhat less, and the total cost of the Office somewhat more, than four-fold, the registered correspondence has increased over six-fold. To get a closer approximation to the true position we must take into account that in those 40 years the system of registration has undergone progressive modifications—so that whole classes of papers which in 1885 would have been separately registered were disposed of in 1924 without swelling the recorded numbers. And if account be further taken of the increase of officials' work in directions of pendently of the C.O., though for convenience its Estimate has been included in the C.O. vote, and (2) a temporary staff brought in to liquidate certain Irish business.

which the correspondence figures give no indication—e.g. interviews and Committee work—it is probably well within the mark to say that in 1924 four times the staff got through eight times the work of 1885.

In this connexion it is noteworthy that when, in 1925, a private member in the House of Commons delivered an attack on the organization of the Colonial Office, he prefaced it by saying that it was made in no spirit of criticism on the personnel, and added: "I think it will be found that this Service is probably one of the cheapest, if not the cheapest, of any of the great Departments of State in this country, while the responsibilities of the Department are as great as, if not greater than, those of many of the others."

The two Offices are organized, for the despatch of business, on similar lines, and at present the Minister who holds the post of Secretary of State for Dominion Affairs also holds that of Secretary of State for the Colonies. The internal arrangements in the Dominions Office, which has only been in existence for a few months, must be regarded as provisional, and will be most conveniently described in Chapter XIX where the reasons for the formation of this Department are set forth.

Apart from the Secretary of State and his Parliamentary Under-Secretary of State, the permanent head of the Colonial Office is the Permanent Under-Secretary of State, who has under him three Assistant Under-Secretaries of State and Legal Advisers. The Assistant Under-Secretaries preside over two main "Divisions" of the Office—the

Colonies and Protectorates Division and the Middle East Division. From 1907 to 1925 there was a third Division, the Dominions Division, which had been established (as explained later*) to meet the wishes of the Dominion governments; but its staff has now ceased to form part of the Colonial Office and has become the staff of the Dominions Office.

The Colonies and Protectorates Division is subdivided into 9 departments in the charge of Assistant Secretaries :—

(1) The West India department, dealing with Jamaica, Turks Island, British Honduras, British Guiana, Bahamas, Bermuda, Trinidad, Barbados, Windward Islands, Leeward Islands and the Falkland Islands ;

(2) The Far Eastern department, dealing with Hong Kong, Weihaiwei, the Straits Settlements, the Malay States, and business connected with the Protected States of Sarawak and North Borneo ;

(3) The Ceylon and Mauritius department, dealing with Ceylon, Mauritius, Seychelles, St. Helena, Fiji and Western Pacific business ;

(4) The Gold Coast and Mediterranean department, dealing with Gambia, Sierra Leone, Gold Coast, Ashanti, the Northern Territories of the Gold Coast, the British sphere of Togoland, Gibraltar, Malta and Cyprus ;

(5) The Nigeria department, dealing with Nigeria and the British sphere of the Cameroons ;

(6) The East Africa department, dealing with Kenya, Uganda and Zanzibar ;

* *c.f.* pp. 247 and 250.

(7) The Tanganyika department, dealing with the (mandated) Tanganyika Territory, Nyasaland, Somaliland and Northern Rhodesia ;

(8) The General department, into which are swept up a host of miscellaneous matters which could not be conveniently dealt with in any one geographical department ;

(9) The Accounts department, dealing with the preparation of Parliamentary Estimates, the accounting for Parliamentary Votes administered by the Colonial Office, and correspondence relating thereto.

The Middle East Division was created in 1921 to deal with Iraq, Palestine, Aden, and Arab areas under British influence.

Under the supervision of the General Department are : the Library ; the Registry with its sub-registries, its telegraph section and its despatch section ; and the printing branch.

The Library now contains a collection of about 15,000 books of general literature bearing on the Dominions and Colonies, besides an equal number of official publications such as Blue Books, Colonial Laws, etc. ; and—so far as its inadequate accommodation permits—properly accredited members of the public are allowed to make researches there. In addition, its small staff carry out certain duties connected with the Office work.

The Registry is an important branch of the Office, for an efficient system of registration is the foundation upon which all good work must be built. For the mere registration and custody of papers (those earlier than a certain date are trans-

ferred to the Record Office for safe custody) it has now become necessary to employ between 50 and 60 persons for the purposes of the Colonial and Dominions Offices.

These numbers seem large, but the conditions are very dissimilar from those in which unofficial business is transacted. The great majority of the papers that arrive in the Office are links in a chain of correspondence; and the previous papers must be carefully collected and attached, for the absence of a single paper of the series might seriously affect the decision to be taken. Further, the work often requires to be done at speed. The ever increasing use of the cable makes for hustle, and in the Session the thirst for information on the part of M.P.'s is great. In 1924 over 500 questions were addressed to the Secretary of State for the Colonies in the House of Commons, and the material for very many other replies had to be supplied by his Office. In the majority of cases the first intimation of a question reaches the Department on the morning of the day on which an answer is expected. Other work must be put aside, the relevant papers collected, and the answer drafted and submitted for the Secretary of State's approval before luncheon time.

The office printing is done, under the authority of the Stationery Office, by the Government printers; but the printing branch has the task of preparing the papers for the printer, correcting proofs and seeing the papers through the press, as well as attending to the constant requisitions from all departments of the office for printed matter. The

annual output of Blue Books and office prints is very considerable, and in their Estimates the Stationery Office debit the Colonial Office with some £7,000 annually on this account.

The Colonial Office sleeps with one eye open, for four of its members are "Resident Clerks," living on the premises, whose duty it is to look after any pressing business arising out of office hours. For the most part this means attending to cables, which have an awkward habit of coming in at any hour of the night; and as they are nearly always in code or cypher they must be translated before their degree of urgency can be known.

The bulk of the administrative work in the Colonial Office is done by means of "Minutes": i.e. the official to whom the paper comes sets out on the minute paper attached thereto, as briefly as in him lies, the points of the communication and the considerations which appear to bear upon it, and winds up with his suggestion for action. According to the importance or otherwise of the documents, they either are speedily stopped in their career or, if important enough, may pass up through the various ranks of the Office as shewn above—each higher authority having it in his discretion to stop a paper by directing action upon it—until the residue reaches the Secretary of State.

Prior to 1870 it had been the law that no Junior should minute papers, and it is a fact that in one Department of State (not the Colonial Office) a Junior of ten years' standing was solemnly and

suitably rebuked for violating the law by minuting a paper: "Put by." Then, however, the criticism of the Committee of 1849 (quoted on p. 12) was met by a ruling that minuting should henceforth not be confined to any of the three administrative grades. The result is that from the day of his entrance into the Office, its youngest member into whose hands a paper may come in the first instance is at liberty to expound his views thereon to an extent limited only by his sense of the fitness of things.

The system seems, and to a certain extent is, laborious—especially in its effect on the higher authorities; but common sense below, and the instinct of self-preservation above, combine to mitigate it. It might be thought that oral communication could replace minutes with advantage, and indeed this is enjoined wherever practicable—especially in cases where the experience of one department may be of value in a case arising in another; but it would be impossible to go too far in this direction, for to make it a general practice would result in grievous waste of time and would make official life in the higher ranks more of a purgatory than it is at present.

There is one thing that can be said with certainty in favour of the present system—it is a magnificent training, especially for the younger members of the Office. It makes for accuracy, clear thinking and concise expression, for *litera scripta manet*, and the knowledge that any inaccuracy of statement, or any error of judgment, lies recorded under his hand and ready to confront him at any time hereafter,

must have a steady effect on everyone concerned.

To join the Colonial Office is not necessarily to serve a life sentence. Some have left it voluntarily, to embark on a successful career outside; others have been taken out for higher service in the Colonies or at home.

The Office has produced one Cardinal of the Roman Catholic Church—Cardinal Manning who, after leaving Oxford, commenced life as a “Super-numerary Clerk” at the Colonial Office, on the nomination of Lord Goderich. He remained there for two years, resigning in 1832.

It has also produced a poet, of considerable repute in his day, in the person of Sir Henry Taylor, who was a clerk in the Colonial Office from 1824 to 1872. His poem, “Philip van Artevelde,” published in 1834, was eulogised by Southey and had a great success at the time; though it may be doubted if many of the present generation have read it and few, if any, could now recall even the titles of his other poems, such as “Isaac Comnenus” (published in 1828) or “Edwin the Fair” which saw the light in 1842.

Six or seven members of the Office have passed into the Colonial Service, and have become Governors; and a few have been permanent heads of Departments at home. Among those who were once on the staff are an Editor of the world’s greatest newspaper, a director of the most famous Chartered Company since the days of the East India Company, a well-known Professor and publicist, and two members of the first Labour Cabinet.

The visitor who enters the Colonial Office may see in the hall a tablet to the memory of those of its members who, having given of their best to the service of the Empire, in the Great War also gave their lives.

SUBSIDIARY AND CONNECTED ORGANIZATIONS

ANY sketch of the Colonial Office machine would be imperfect which did not include some notice of other organizations through, or with the aid of which, part of its work is performed.

(a) The Crown Agents for the Colonies.

The history of this Office is too long to be told in any great detail, and for its origin we must go back into the first half of the 18th century. In the earlier stages of colonial history—when the Governors appointed by the Crown had almost absolute authority over the territories entrusted to them and, except in matters of the greatest moment in which questions of Imperial policy were involved, were comparatively independent of the home authorities—each Governor had his own representative in London, who generally acted as an intermediary between himself and the Crown, besides performing the miscellaneous services required of him in the interest both of the Colony and of the Governor himself, whose immediate servant he was.

When the extension of the Colonial Empire rendered it expedient that its general management should be placed under the control of a Secretary of State for the Colonies, it was still found necessary by the several Colonial Governments that they

should be represented, in comparatively private and semi-official capacities, by Agents empowered to transact for them all such financial, commercial and other business as was not undertaken by the Colonial Office itself. Prior to the year 1833 the salaries of these Agents, all of whom were appointed either by the Governors or by the legislatures of the colonies concerned, appear to have been paid from Colonial funds. The Agents were not, however, precluded from following other occupations. Some were merchants, one or two were Members of Parliament or officers in the Army, and others were members of the Civil Service of this country. Such of the appointments as were at the disposal of Governors were generally assigned to senior clerks in the Colonial Office, in which they were regarded as permanent appointments. In 1806 the Treasury had advanced a claim that all colonial agencies had always been considered as in their disposal; but this was immediately challenged by the Secretary of State, and the result of the controversy left the patronage with him. The Treasury, however, maintained a general control of the Agents, which was not finally abandoned, in favour of the Colonial Office, till 1880.

The services performed by the Agents in London were, at first, very limited in extent, and rarely called for any special knowledge; but with the growth of the colonies a demand arose for more technical qualifications in the Agents, for which no training was provided in the Colonial Office. Frequent and grave complaints as to the management of their affairs were consequently made

by the Colonial Governments; and in 1833 the business formerly distributed among the nine Agencies was consolidated in one establishment, under two ex-members of the Colonial Office. This arrangement, however, proved no more satisfactory than that which it had superseded; and while the Crown Colonies were compelled to continue, under protest, to avail themselves of the inefficient services of the Agency, other colonies, as soon as they ceased to be Crown Colonies, took the earliest opportunity of establishing their own agencies in this country. Accordingly, in 1858 the Office was again reorganized, new business methods were introduced, and thenceforward its progress was rapid.

In 1878 the relations of the Crown Agents with the self-governing colonies were reviewed. The Colonial Office and the Treasury were in agreement that there were obvious objections to a system under which officers appointed and supervised by Her Majesty's Government undertook large transactions and assumed large obligations on behalf of these Governments, and steps were taken to terminate all connexion between the Crown Agents and the responsible government colonies.

From that time to the end of the century, the business of the Crown Agents, though it had continued steadily to expand, did so on more or less the same lines. They purchased stores, and raised loans, for the colonial governments; but the stores were packed for them by one private firm, and shipped by another. Engineering matters and the technical details of railway construction were referred by them to various firms of consulting engineers. The Office

was, of course, self-supporting, being remunerated by a fixed annual contribution from the colonial governments for miscellaneous services, and by commissions on the raising and management of loans and on the purchase of stores. These commissions—already on a very moderate scale—were revised from time to time, usually in a downward direction. The Crown Agents' income was mainly derived from work in connexion with loans, of which, between 1878 and 1898, they raised over £33,000,000. The salaries of the Crown Agents and their staff were fixed by the Secretary of State.

The Colonial Regulations lay down that all requisitions from colonies for stores from the United Kingdom, or from countries not adjacent to the particular colony, are to be sent to the Crown Agents for execution; and that orders are in no case to be given directly, or through local agents, to firms in this country or on the continent of Europe. Not unnaturally, this regulation has often been very unpalatable locally, and in some quarters at home, and is the foundation of the attacks made from time to time on the Crown Agents and their system; but it is based on various considerations of the public interest. The commission charged for the purchase of general supplies is only a fraction of that paid to any business agency for similar work. By the experience of the Crown Agents in the home markets, and their standardization of supplies, the colonies gain both in quality and in price. More important, from the point of view of the Colonial Service, is the fact that Colonial officers are thereby protected from the insidious methods always at the

command of an enterprising firm's agent for influencing orders.

In 1901 Mr. Joseph Chamberlain undertook an investigation into the efficiency of the commercial business of the Crown Agents, by addressing a circular despatch to all Colonies, inviting them to say if they were satisfied and, if not, to furnish detailed particulars of cases of complaint. After considering the replies, he recorded his opinion that the number of complaints was small in proportion to the number of Colonies that had replied; that the existing system had, beyond question, worked well for the Colonies; and that the Crown Agents had deserved the confidence alike of the Colonial Governments and of successive Secretaries of State.

After 1900 the business of the Crown Agents continued to expand, and they enlarged their sphere of action in various directions, partly to render themselves more independent of outside assistance, and partly to meet the wishes of Secretaries of State. Perhaps the most remarkable development has been on the engineering side, which has been going on progressively, from small beginnings, for the last 25 years. By adding trained engineers to their staff, the Crown Agents now have their own Drawing Office; an Engineering Contracts branch; an Engineering Inspection branch for the testing of materials and the supervision of contracts for engineering work; and an Engineering Designs branch which has absorbed nearly all the work formerly carried out by various firms of consulting engineers. The Crown Agents have thereby assumed responsibility for advising in respect of 7,000 miles

of railways owned by 15 different Administrations. The magnitude of their financial operations on behalf of the colonies can be measured by the fact that 57 colonial loans, amounting to upwards of £79,000,000, are now domiciled with, and managed by, the Crown Agents, who pay out annually £3,600,000 in interest thereon, and are trustees for some £11,000,000 of sinking funds for loan redemption.

From 1910 the Crown Agents, at the request of the Secretary of State, have taken over the work (previously entrusted to consulting engineers) of selecting candidates for technical appointments in the colonies. The average number of appointments so filled is about 600 annually.

In 1900 Mr. Joseph Chamberlain made an interesting experiment. Certain Colonial Governments give government scholarships, tenable in this country. The Office had been impressed by the position of these young men arriving here for the most part friendless, and with no one to turn to for advice or assistance; and, following a recommendation by a departmental committee, he invited one of the Crown Agents to undertake the duty of "Director of Colonial Scholars." It was not everyone's task—demanding tact, sympathy and an abiding recollection that one had been young one's self—but the selection was very happily made, and the scholars of the time would be the first to recognize their indebtedness to their Director. On his retirement his place was taken by another Crown Agent.

The Director's duties are not light. He arranges, where necessary, for the reception of each student

at the institution where he is to study; gives him general advice on his arrival, and afterwards as required; authorizes the quarterly payment of his allowance, subject to being satisfied as to his conduct and diligence; makes advances to him for the payment of fees or other necessary purposes; sanctions payments on account of his medical expenses within the limits laid down by his Colony; reports periodically to the Colonial Government on the progress of his studies; and arranges for his return home where a passage is provided by his Government on the expiration of his scholarship. The Director's protégés, now over 60 in number, come to him from all quarters—Ceylon, Mauritius, the Straits Settlements, British Guiana, Bermuda, sundry West Indian Islands, and Iraq. In addition to Government scholars, sons and grandsons of Malay rulers have been placed under his care; and in Ceylon arrangements have recently been made whereby private students may, on the request of their parents or guardians, be placed under the financial and general supervision of the Director, or receive his assistance in selecting and obtaining admission to a University or other educational institution.

(b) *The Colonial Audit Department.*

A proper audit of Colonial accounts is as essential to good administration as is a proper management of the finances. The governments and legislatures require to be satisfied that all monies raised for the public service reach their Treasuries; that all duties and taxes imposed by law are fully levied, paid in,

and credited to their proper heads in the Treasury books; that all monies paid out are paid under proper authority, and to the proper recipients, and are correctly brought to account. The Colonial Office, under its general responsibility for colonial finance, requires to be similarly satisfied, and so does the Treasury in respect of those colonies that receive assistance from Imperial funds. An efficient audit satisfies all these requirements: but, to be efficient, the audit officials must be thoroughly trained and must have an independent status, in the exercise of their functions, *vis-à-vis* the local administrations.

In the early years of the 19th century the duty of auditing Colonial accounts was discharged by "Commissioners for West India Accounts" and "Commissioners for Colonial Accounts." Before very long the functions of these Boards were transferred to the Audit Office, which was then a division of the Treasury. On the constitution of the Exchequer and Audit Department, other arrangements became necessary, and it was decided that the accounts of colonies should be audited by the local governments, subject to an audit by the Comptroller and Auditor-General in the case of colonies receiving grants-in-aid.

In 1889, as the result of a request from the Secretary of State for assistance in the audit of certain West African accounts, the Comptroller and Auditor-General established a "Colonial Audit Branch" in his department. Difficulties were experienced as the work grew, and in 1906 the whole question was examined by a Colonial Office

Committee, on which representatives of the Comptroller and Auditor-General served. The scheme which they produced was approved by the Secretary of State, the Auditor-General, the Treasury and the Public Accounts Committee, and was brought into force in 1910. A Colonial Audit Department has been established under the general control and direction of the Secretary of State who appoints the staff and determines their rates of pay. At its head is the Director, with a central office in London, who selects, trains, and sends out local Auditors to the colonies with whose accounts he deals. These Auditors form a separate service, liable to transfer and with opportunities for promotion; and in more than one case they have received important appointments in the colonial service. They correspond with the Director on all technical questions arising out of their examination of the accounts; while questions of importance, or involving matters of principle, are referred, through the Director, to the Secretary of State or to the Governor, according to the circumstances. The duties of the local Auditor are laid down in some detail in the Colonial Regulations, which safeguard his independence by providing that the Governor shall report forthwith, for the decision of the Secretary of State, any case in which he has overruled the maintained opinion of the Auditor in any matter relating to the public accounts. The cost of the Department is met by *pro rata* contributions from the Colonies concerned.

The detailed examination by this Audit Department is accepted by the Treasury in the case of colonies receiving grants-in-aid, and by the Comp-

troller and Auditor-General subject to his right to call for any additional information that he may require and to apply a supplementary examination to such accounts, should he see fit. The system has worked admirably; and though no attempt has been made by the Colonial Office to force it on colonies already equipped with their own machinery of audit, many local governments have gradually come to appreciate its advantages to themselves, and the accounts of some 28 Administrations are now audited by the Department, in addition to sundry other public accounts.

In another way the Director has rendered valuable assistance to the Colonial Office for, though outside his duties, he delivers a series of lectures on accounts to candidates selected for tropical African service, as part of the course of instruction which they are required to undergo before taking up their appointments.

(c) The Tropical Diseases Bureau.

This Bureau was established for the collection and distribution of information with regard to tropical diseases. It is maintained by a Treasury contribution (at present £1,000) and funds provided by various Dominions, Colonies and Protectorates, and is under the general control of a Managing Committee appointed by and responsible to the Secretary of State for the Colonies, with members of the Colonial Office as Chairman and Secretary. It is in charge of a salaried Director, assisted by a staff of sectional Editors; and its main function is to collect and collate information respecting tropical diseases and

hygiene, which it distributes among those engaged in combating these diseases by the issue of a monthly "Tropical Diseases Bulletin" and a quarterly "Tropical Veterinary Bulletin."

(d) The Tropical Diseases Research Fund.

The Advisory Committee for this fund was constituted by the Secretary of State for the Colonies in 1904, its Chairman and Secretary being members of the Colonial Office. Its duties are to advise the Secretary of State as to the management of the fund, which is formed mainly by contributions from the Dominions and Colonies, and as to any other matter which the Secretary of State may refer to it. Its income, amounting to about £2,000 a year, is directed to assisting investigation and research into the various diseases prevalent in the tropical portions of the Empire.

(e) The Colonial Advisory Medical and Sanitary Committee.

In 1909 the Secretary of State for the Colonies constituted a Committee, styled "The Advisory Medical and Sanitary Committee for Tropical Africa," to advise him on medical and sanitary questions connected with tropical Africa; and in 1922 its functions were extended to cover similar questions connected with all dependencies, its title being changed to "The Colonial Advisory Medical and Sanitary Committee." Its Chairman, Secretary, and Assistant Secretary are members of the Colonial Office, and departmental heads of the Office sit on

it as required. A sub-Committee, with one of the Private Secretaries to the Secretary of State, advises him in connexion with the selection of candidates for medical appointments in the colonies.

(f) *The Imperial Bureau of Entomology.*

In 1909 the Secretary of State appointed an "Entomological Research Committee" with the object of furthering the study of economic entomology, particularly in the British tropical African Colonies and Protectorates. Its functions were enlarged in 1913, when it was absorbed into the "Imperial Bureau of Entomology" established for the purpose of encouraging and co-ordinating entomological work throughout the Empire in relation to human and animal diseases, and also to agriculture. Touch with the Colonial Office is maintained through the Secretary and Assistant Secretary, who are members of the Office. The Bureau publishes a monthly "Review of Applied Entomology" and a quarterly "Bulletin of Entomological Research"; it undertakes the identification of insects for official entomologists in all parts of the Empire, and gives information and advice on all matters concerning injurious insects. Its cost, approximately £12,500 a year, is met by contributions from the Treasury (£1,000 at present), the Dominions, India, the Colonies, the Sudan and British North Borneo.

(g) *The Imperial Bureau of Mycology.*

The Imperial War Conference of 1918 adopted a proposal to set up a central organization for the encouragement and co-ordination of work

through the Empire on the diseases of economic plants caused by fungi, and resolved that it was desirable to establish an Imperial Bureau of Mycology, and to obtain the funds for its maintenance by contributions from the Imperial Government, the Dominions, India, and the other overseas possessions. Accordingly the Bureau was constituted in 1920 under a Committee of Management, with a member of the Colonial Office as Secretary. No contribution from the British Government appears in the current Estimates, and the funds of the Bureau at present are entirely derived from the Dominions, India, the Sudan and the Colonies and Protectorates. Its primary function is to assist economic mycologists in the overseas portions of the Empire by the accumulation and distribution of information on all matters connected with plant disease, and by the identification of specimens. It publishes a monthly Review, has a lending library, and provides accommodation for overseas workers who may wish to prosecute researches in England.

(b) The Colonial Survey Committee.

In 1905 the Secretary of State appointed an Advisory Committee to assist him in matters affecting the survey of British Colonies and Protectorates, more especially in tropical Africa, with a view to securing the rapid, economical, and methodical prosecution of surveys where required, and rendering the results available as speedily as possible for use by the Home and Colonial Governments and by the public. Its scope was extended in 1912 to include geological surveys in British

Colonies and Protectorates. A member of the Colonial Office is chairman of the Committee, another is chairman of the geological section, and a third is one of the Joint Secretaries. The work involves no cost to public funds. •

(i) *The Colonial Research Committee.* •

This Committee was formed in 1919 to administer a Parliamentary grant for the assistance of the poorer colonies in undertaking research work on matters of economic importance. Of the five members of the Committee, three are members of the Colonial Office, as also is the Secretary. The research work so far undertaken includes the investigation of forest problems in British Honduras, sponge cultivation in the Bahamas, geological and mineralogical work in the Windward and Leeward Islands, British Honduras and Nyasaland, and an enquiry into cultural methods in Seychelles. A report on the administration of the fund is presented to Parliament annually.

The unofficial members of all the above Committees are men in the front rank of their respective professions, and both the Colonial Office and the Colonies are greatly indebted to them for the services so freely and willingly rendered in an honorary capacity. The Office thereby obtains the best advice from persons acquainted with the latest developments of medical and other science, in a way that it could not expect to do from any permanent technical staff appointed to perform similar duties. To prevent misapprehension, it may be as

well to remark that the Colonial Office officials serving on these Committees also take their full share of the ordinary departmental work of the Office, and derive no pecuniary benefit from their committee work.

(j) *Committee for Research in the Falkland Islands.*

In 1923 the Secretary of State for the Colonies appointed an Executive Committee (on which, among others, the Admiralty, the Ministry of Agriculture and Fisheries, the British Museum and the Royal Geographical Society were represented) to control, subject to his instructions, certain investigations, mainly connected with whaling, which had been recommended by an inter-departmental Committee on research and development in the dependencies of the Falkland Islands. For the purposes of the investigations, the late Captain R. Scott's ship *Discovery* has been acquired for the Colonial Government, and a Marine Biological Station has been established at South Georgia. The Chairman and the Finance Member of this Committee are members of the Colonial Office.

(k) *The Advisory Committee on Native Education in the British Tropical African Dependencies.*

This Committee was constituted by the Secretary of State in 1923 to advise him on any matters in connexion with native education in these Colonies and Protectorates which he may refer to them, and to assist him in advancing the progress of education therein. Its Chairman is the Parliamentary Under-

Secretary of State for the Colonies, and the Colonial Office is represented thereon.

(d) *The Oversea Defence Committee.*

This Committee, originally known as the "Colonial Defence Committee," is charged, as a sub-committee of the Committee of Imperial Defence, with the duty of examining, and reporting through the Secretary of State to the local governments upon, the defence schemes and equipment of the various colonies, with a view to ensuring that the best use is made of the material available; and it also deals with any defence questions remitted to it for investigation. Its Chairman is the Permanent Under-Secretary of State for the Colonies, and its regular members are representative of the different branches of the three combatant Forces and of the Military department of the India Office—members of other Departments attending its meetings when required by the circumstances of the case under consideration. Its proceedings are, of course, confidential; and it is not desirable to say more about them than that their value was proved when war broke out, and the local administrations in the Empire's outlying posts were in a position to put into force their defensive measures, with full knowledge of what was required and expected of them, and without confusion or delay.

There are some other bodies which, though in no sense subsidiary to the Colonial Office, nevertheless afford it valuable assistance in its work.

The Royal Botanic Gardens, Kew, have been

closely associated with the Office since 1841, and the connexion was officially recognised in 1902, when the Director was given the title of "Botanical Adviser to the Secretary of State for the Colonies." In addition to giving advice on botanic matters, special attention has been devoted to training gardeners to act as Curators of botanic stations in the colonies, and a large number have been sent out for employment under the local governments. It is largely due to Kew that the cultivation of rubber was successfully introduced into the Eastern dependencies.

The London and Liverpool Schools of Tropical Medicine were created in 1899 as the result of an appeal by Mr. Joseph Chamberlain for the establishment of institutions which would afford instruction in tropical medicine to medical officers in the colonial service. The former of these was founded by the Seamen's Hospital Society, at his request, and was absorbed into the London School of Hygiene and Tropical Medicine which was created by Royal Charter in 1924. The Liverpool School, founded by the late Sir Alfred Jones, has a tropical laboratory in Sierra Leone for the use of research workers.

Mention should also be made of the Overseas Nursing Association (founded in 1896), which, at the request of the Colonial Office, recommends nurses for Colonial service. Over 1,000 nurses have been obtained for the local Governments in this way since the Association began its work.

Finally, the Corona Club—though not an official body—must not be left unnoticed. Like so many

other institutions, it owes its origin to Mr. Joseph Chamberlain, who founded it in 1900, membership being confined to past and present members of the Colonial Office, the Colonial Service and the Crown Agents' Office. It holds an annual dinner, attended by members resident, or on leave, in this country, at which the Secretary of State takes the chair and delivers an address, a copy of which is subsequently sent to every member. After dinner members are able to renew friendships which the chances and changes of the Service have interrupted, and to compare experiences; and they have the opportunity, keenly appreciated, of conversation with the Secretary of State on the work on which they are engaged. The total membership is now not far short of 3,000, and about ten per cent. are able to attend each dinner.

PART II

THE COLONIES AND PROTECTORATES

Chapter IV

ADMINISTRATIONS AND LEGISLATURES

A CHARACTERISTIC of Colonial Office business is its infinite variety—religions, crime, commerce, shipping, law, finance, taxation, transport, military operations, mining, agriculture, fisheries, disease, sanitation, constitutional problems, education, individual grievances, are but some of the matters that come under its cognizance; its functions in relation to the Colonies and Protectorates resemble those of many of the public departments in this country, and its work on behalf of its clients involves it in continual correspondence with these offices.

It would be impossible, within the limits of this volume, to follow up the activities of the Colonial Office in these varied fields; and, indeed, if it could be done the general reader would hardly see the wood for the trees. It seems preferable to select a few topics, and to present them—albeit superficially and in outline—as illustrating some aspects of the work that has occupied the attention of the Department in past and present times.

The Colonies have passed into the possession of

the Crown in divers ways—conquest, capitulation, cession, treaty, settlement. The Protectorates are not, technically, British possessions, and the powers of the Crown in respect of them are derived from the Foreign Jurisdiction Acts which declare that it shall be lawful for the Sovereign to hold, exercise, and enjoy, any jurisdiction which he then had and might at any time thereafter have within a foreign country, in the same and as ample a manner as if he had acquired that jurisdiction by the cession or conquest of territory.

When it is decided to set up the machinery of government in a Protectorate, an Order-in-Council is passed which recites the above provision ; declares that (*a*) the territory in question is under the protection of His Majesty, (*b*) by treaty, capitulation, grant, usage, sufferance, and other lawful means, he has power and jurisdiction therein, (*c*) it is necessary to provide for the peace, order and good government thereof ; and then proceeds to lay down the form of government in terms similar to those of the Letters Patent issued in the case of a Colony. Occasionally it is desirable, for administrative reasons, to tack a Protectorate on to an adjacent Colony, in which case an Order-in-Council authorises the Colonial Legislature to pass Ordinances for the Protectorate.

If a territory has been conquered, and it is determined to annex it, no reference to an Act of Parliament is necessary. The annexation is effected, in virtue of the Royal Prerogative, by an Order-in-Council which declares that the territory has been conquered by His Majesty's forces ; that it has

seemed expedient to him that it should be annexed to and should henceforth form part of His Dominions, and that provision should be made for the peace, order and good government thereof; that from the coming into operation of the Order the territory shall be annexed to and form part of His Majesty's Dominions; and provisions for its government follow.

The Secretary of State has, broadly speaking, no executive authority within the territorial limits of a Colony or Protectorate. His authority is exercised through the Governor (or, in the case of some Protectorates, the "High Commissioner") with whom alone he corresponds, and to whom alone he issues his directions. Though he selects for appointment the chief colonial officials, their actual appointment is made by the Governor, who has received a Commission under the Royal Sign Manual and Signet and, in the words of the Colonial Regulations, "is the single and supreme authority responsible to, and representative of, His Majesty."

In addition to his Commission, the powers which the Governor exercises are derived from two instruments—the "Letters Patent" passed under the Great Seal,* and the "Instructions" to the Governor passed under the Royal Sign Manual and Signet.*

In nearly all cases the Letters Patent *inter alia* : (1) lay down the boundaries of the Colony; (2) empower and command the Governor to do all

* For an explanation of these mysterious expressions see "The Home Office," pp. 7-10, in this Series.

things that belong to his office according to the tenour of the Letters Patent and according to his Instructions, to any Order-in-Council or any other orders given "by Us through one of Our Principal Secretaries of State," and to the laws in force in the Colony; (3) direct the Governor, before entering on his duties, to take the oath of allegiance and the usual oath for the due execution of his office and the due and impartial administration of justice; (4) create an Executive Council and a Legislative Council, and empower the Governor to suspend members of either Council pending the signification of His Majesty's pleasure; (5) authorise the Legislative Council, subject to any instructions under the Sign Manual and Signet, to pass such Ordinances, not being repugnant to the law of England, and to constitute such Courts for the administration of justice, as may be necessary for the peace, order and good government of the Colony; (6) reserve power to the Crown to disallow any Ordinances, and to legislate by Order-in-Council; (7) empower the Governor to assent or to refuse assent to any Bill, or to reserve it for the signification of His Majesty's pleasure; (8) authorise him to dismiss (in the case of minor offices) or to suspend any public officer, pending confirmation or otherwise by a Secretary of State; (9) confer on him the exercise "in Our name and on Our behalf" of the prerogative of mercy; and finally (10) make provision for the administration in the event of the death, absence or incapacity of the Governor.

The Letters Patent are, to a considerable extent, "common form"; but the Instructions will vary

considerably according to the circumstances of the different colonies. For the most part they include the following provisions :—(1) the composition of the Executive and Legislative Councils is laid down in detail as regards *ex-officio* members, to whom the Governor may add others under instructions from the Secretary of State ; (2) in the exercise of his powers he is in all cases to consult his Executive Council, except when, in his judgment, His Majesty's Service would sustain material prejudice by so doing, and in matters of too urgent a nature to permit of such consultation ; he may disregard their advice but, if so, he must report the matter ; (3) the constitution of the Legislative Council is similarly laid down ; (4) any Ordinance or resolution of the Legislative Council which would have the effect of imposing a charge on the public revenues can only be proposed by the Governor or with his permission ; (5) certain classes of Bills are enumerated to which the Governor may not give his assent unless under previous instructions from the Secretary of State ; (6) the procedure to be followed prior to the suspension of any officer is laid down ; (7) in the case of a death sentence, the Governor is to obtain from the presiding Judge a written report thereon and to lay it before the Executive Council as speedily as may be, and he may require the Judge to attend the meeting and produce his notes ; “ the Governor shall not pardon or reprieve any such offender unless it shall appear expedient to him to do so upon receiving the advice of the Executive Council thereon ; but in all such cases he is to decide either to extend or to withhold a pardon or

reprieve, according to his own deliberate judgment, whether the members of the Executive Council concur therein or otherwise."

This last provision deserves notice. It is an express delegation from the Sovereign to the Governor, and to the Governor alone, of the Royal Prerogative of Mercy. The Secretary of State does not come into it at all. Attempts have been made, from time to time, on behalf of convicted persons, to bring in the Colonial Office as a Court of Appeal; but they have been firmly resisted, and it is essential to justice that this should be so. The Governor and his Executive Council, assisted by the Judge who tried the case, are best able to take into account all the surrounding circumstances; the Colonial Office is in no position to re-try the case; and even if it were competent to do so, the result, owing to the delay necessarily involved, would be the practical abolition of the death penalty. Lastly, it would give a very odious advantage to the rich over the poor. In one case, some years ago, the friends of a convicted person paid a very heavy fee to a local lawyer to proceed to England to use his efforts at the Colonial Office. In another case, a local lawyer sent through a High Commissioner an appeal to the Secretary of State, evidently counting on the delay involved to secure a remission of the death penalty. The attempt to interfere with the High Commissioner's discretion failed, as it deserved to fail. The communication to the Secretary of State was, of course, duly forwarded, as prescribed by the regulations; but the murderer was not reprieved, and the law took its course.

On the other hand, an attempt was once made by a Secretary of State, doubtless under pressure from sympathisers at home, to influence a Governor in the case of a native condemned to death. Fortunately for the principle involved, this was in a self-governing Colony; on hearing of it the Ministry at once tendered their resignations, and the Secretary of State hastened to explain that he had merely been asking for information.

It will be seen that the Letters Patent and Instructions together form a sort of Organic Law of the Colony. Under them the Governor—so far as local restraints are concerned—is untrammelled in his executive functions; and as he is required to act subject to the directions of the Secretary of State it follows that the latter, in theory, can interfere, viâ the Governor, in every detail of the administration. On the legislative side, however, the Governor's authority varies from complete control to mere veto or suspensory power, and the Secretary of State's capacity for intervention (subject to one important reservation) varies accordingly.

On the constitutional side (expressed in terms of legislative powers) the Colonies and Protectorates can be divided into five classes:—

(a) Those without a Legislative Council, where the Governor (or High Commissioner) is the Legislature;

(b) Those with a Legislative Council nominated by the Crown;

(c) Those with a Legislative Council, partly elected but with an official majority;

(d) Those with a Legislative Council, partly elected but without an official majority ;

(e) Those with an elected House of Assembly and a nominated Legislative Council (which in these cases means a Second Chamber).

In all but a few of the above, the Crown has reserved the power of legislating by Order-in-Council, as a survival of the theory that the Sovereign governs his Possessions beyond the seas by virtue of the Royal Prerogative. The Secretary of State thus has a weapon in reserve whereby, coupled with the power of advising the Sovereign to disallow any Bill of a Colonial Legislature, he can defeat measures passed by the latter, or enact a law that they have refused to pass. It is hardly necessary to add that nowadays recourse would very rarely be had to this weapon, and not at all unless important Imperial or local interests were involved ; and then only after all efforts at persuasion had failed.

It has been no part of Colonial Office policy to force either the executive or the legislative machinery of the colonies into a common mould. Even on the executive side, though there is naturally a greater approach to uniformity, it is not complete. The Governor is always assisted by an "Executive Council," whose relation to him may be regarded, *mutatis mutandis*, as equivalent to that of the Privy Council in early times to the Sovereign.* Its

* In Jamaica the Executive Council is replaced by a "Privy Council ;" in Malta the Governor can, for some purposes, constitute a "Privy Council of Malta."

ex-officio element is taken from the chief officials of the Colony—such as the Colonial Secretary (the “permanent head” of the administration), the Treasurer, and the Attorney-General, who will always be on it—and others, such as a Native Commissioner, a Principal Medical Officer, or a Collector of Customs, varying according to the respective importance of their offices in the different colonies. Power is always reserved to the Governor to add other (“unofficial”) members, either as ordinary members for a term of years, or as extraordinary members for the discussion of a particular subject; and in most administrations advantage has been taken of this provision to include from two to four unofficials, so that the Executive may be in better touch with local views and feelings. The position of these last members is sometimes rather delicate, for on occasions persons have been deliberately appointed who were known to be distinctly critical of, if not openly opposed to, the policy of their Government.

On the legislative side, there is great variety, both in the composition of the Legislature—as already indicated—and in the qualifications for the electoral franchise. In several cases the constitution has its roots in the past—particularly in what for convenience the Colonial Office calls the “West Indian” group, though some of the administrations have no connexion, geographical or other, with the West Indies. They have been the sport of war—conquered from their former owners, reconquered and conquered again—and they have finally come into British hands with rights derived from Articles

of Capitulation, or pre-existent and respected by us.

A few illustrations of peculiarities in Colonial constitutions, arising from these and other causes, may be of interest :—

(a) Bermuda (once called “the Somers Islands” after a British Admiral who was wrecked there in 1609) was sold by James I to a Company who conferred representative institutions on the islands in 1620, by constituting a “General Assembly.” It now has an Upper House (the Legislative Council, with three official and six unofficial members) and a Lower House (the House of Assembly) with 36 members elected by a total of 1,413 voters. The position is peculiar in one respect; in its area of 19 square miles Bermuda contains one of the great British fortresses, and as such its Governor is always a Lieutenant-General, nominated to the Secretary of State for the Colonies by the War Office; but in practice no military difficulties arise by reason of its constitution.

(b) The Bahamas, granted in 1649 by Act of Parliament to “the Adventurers for the Eleutherian Islands,” and in 1670 to certain of the “Lords Proprietors of Carolina,” received from the latter a Parliament with an elective Lower House. It still rejoices in a Legislative Council and a House of Assembly, in neither of which has any official a seat *ex-officio*; so that, unless an official can get elected to the Assembly, the Government has to rely on the good offices of a private member to get its measures introduced and passed.

(c) In Barbados, which also has its two Chambers, though the Legislative Council is nominated there

is no Government official with a seat *ex-officio* in either body. The President of the one and the Speaker of the other are members of the Executive Council; and there is a further body interposed between the Executive Council and the Legislature, styled the "Executive Committee." This consists of *ex-officio* members of the Executive Council, one member of the Legislative Council, and four members of the House of Assembly nominated annually by the Governor; its functions are to prepare the estimates, to introduce all money votes, and to initiate all Government measures. A further peculiarity—unknown elsewhere—is that while the Governor appoints all other officials, the Treasurer is appointed by the House of Assembly.

(d) The constitution of Jamaica contains a unique provision. There is a Legislative Council of 29 members—15 *ex-officio* or nominated, and 14 elected; but nine of the elected can carry any financial measure, while the unanimous vote of the whole 14 cannot be outvoted unless the Governor declares the matter to be "of paramount importance" to the public interest.

(e) The picturesque constitution of British Guiana, which has its foundations in the Decrees of the States-General of Holland and the Articles of Capitulation when it passed into British hands, was modernized to some extent in 1891. Until then there was no Executive Council, but a "Court of Policy" which combined the duties of Executive and Legislative Councils, except as regards taxation and finance—for which purposes six Financial Members were added, and the two became the

“Combined Court.” Both the unofficial members of the Court of Policy and the Financial Members were elected—not directly, but by a “College of Keisers” (electors) who were themselves chosen directly by the electorate. Since 1891 the College of Keisers has disappeared, and an Executive Council has come into existence; the Court of Policy and the Combined Court still remain, but are elected directly by the voters.

As specimens of constitutions where the Colonial Office has been able to write on a clean slate:—

(f) In Fiji there is a nominated Legislative Council of 12, which includes one Indian member and two native members.

(g) In Sierra Leone the Legislative Council (legislating for the Colony and Protectorate) consists of eleven official members, seven unofficial members of whom three must be Paramount Chiefs of the Protectorate, and three elected members—two for the Urban and one for the Rural Electoral District. Among the nominated unofficial members is the Bishop of Sierra Leone.

(h) The constitution of Kenya provides for a Legislative Council of ten *ex-officio* and ten nominated official members, eleven elected European members, five Indian members and one Arab member (in each of these two cases elected* by adult suffrage of their respective communities), and one nominated unofficial member, chosen from among the Christian missionaries there, to represent the interests of the natives.

Besides the five classes mentioned above, two other cases should be noted to complete the list:—

* But *see* p. 96.

Malta stands by itself, as an example of the modern theory of "dyarchy"—an attempt to reconcile Imperial interests with local aspirations, and to put an end to a long history of bickering with the home Government. In nearly all matters of internal concern it enjoys, since 1921, responsible government, i.e. its chief executive officers are "ministers" responsible to the local legislature—a Senate and a Legislative Assembly. It would be impossible to allow the military and naval safety of this great fortress to be subject to local control, and accordingly certain matters are "reserved," generally or specifically, in the constitution. The Governor (who is always a distinguished military officer, selected by the War Office but submitted for the King's approval by the Secretary of State for the Colonies) has two Councils to assist him—the ordinary Executive Council of a self-governing colony, consisting of Ministers, and a nominated Council composed of the Lieutenant-Governor, the Legal Adviser, and three officers chosen from the three combatant forces. The latter Council is in the position of the ordinary Executive Council of a Colony in respect of these reserved matters. The Governor can, if he sees occasion, summon the two Councils to sit together as "the Privy Council of Malta." Power is reserved to the Crown to disallow any law, and the Governor can reserve any Bill for the signification of His Majesty's pleasure; the Crown by Order-in-Council, or the Governor subject to the King's approval, can legislate on the "reserved matters."

The class of self-governing Colonies—in the

fullest sense of the term—is for the moment extinct, having become “Dominions.” In the case of Southern Rhodesia, though it was erected into a Colony with responsible government in 1923—with the usual apparatus of Legislative Council and Legislative Assembly—certain powers as regards native administration are reserved to the High Commissioner for South Africa.

Although conditions may vary widely in different Colonies, there are certain principles of general application for the regulation of public business, and these are embodied in the “Colonial Regulations”—a code of some 400 paragraphs—which are binding on all Governors and public officers, except where they may conflict with any local law. Among the matters so dealt with are appointments and discipline; finance; salaries, passages and leave of absence; precedence, salutes and ceremonial visits; methods of correspondence with the Colonial Office, with naval and military officers, and with consular officials. It is laid down that every individual in a Colony has the right to address the Secretary of State, if he thinks proper; but he must forward his communication through the Governor, so that the latter may, in sending it on, accompany it by a report on the subject matter.

Chapter V

APPOINTMENTS AND REWARDS IN THE COLONIAL SERVICE

It is laid down in the Colonial Regulations that the Governor makes the appointment when the initial emoluments of an office do not exceed £100 per annum, and that where these emoluments lie between £100 and £300 the Governor recommends, and his recommendation is usually followed: provided, in both cases, that the person concerned is resident in his Colony.

When the emoluments exceed £300, the Governor reports the vacancy and may recommend, "but it must be clearly understood that the Secretary of State may select another candidate." In the last two cases "the claims of meritorious public officers, whether in the service of the same Colony or of some other Colony, will generally take precedence of those of persons new to the public service."

Although it is usual to speak of the "Colonial Service," it must be understood that the expression is used for convenience only, and in the same sense as the "Home Service." The varying conditions in each Colony as to rates of pay, duties, tenure of office, pension, etc., make it impossible that there should be one "Colonial Service" in the strict sense of the term.

The patronage of the Secretary of State as regards

the selection of entrants into the Service has been severely restricted by the decisions of successive holders of that office. Thus, for Ceylon, Hong Kong, the Straits Settlements and the Federated Malay States, a cadet service has been constituted with a view to training officers to fill eventually the more important posts in these Administrations ; and the cadets are selected by open competitive examination by the Civil Service Commissioners, who combine the examination with that for the Home and Indian Civil Services. For certain classes of appointments requiring technical qualifications the selection is made by, or on the recommendation of, the Crown Agents for the Colonies. It has thus come about that the great majority of the junior appointments for which the Secretary of State selects are those in the administrative services of East and West Africa. Selected candidates for these are required, before taking up their appointments, to undergo a course of instruction in London in various subjects—tropical hygiene, accounting, criminal law, tropical economic products, surveying, international and Mohammedan law, and ethnology.

The theory of patronage has been from time immemorial that while the Secretary of State will consult his chief advisers as to promotions they are not concerned with initial appointments, and in recent years very great pains have been taken by successive holders of the office to secure the best material for these. From among the Private Secretaries to the Secretary of State a quasi-permanent "Private Secretariat for Appointments" has been evolved, which is in close touch with University

authorities and similar bodies ; the applications and testimonials of candidates are carefully weighed, and those candidates who appear to be *primâ facie* suitable are personally interviewed. The Secretariat issues a very full memorandum of information as to the pay and prospects of every class of appointment which, by the way, contains an emphatic warning that, while the selection of candidates is at the absolute discretion of the Secretary of State, "attempts to influence his selection through Members of Parliament or other persons who are not personally well acquainted with the applicant are useless, and will be regarded as indicating that the applicant himself does not consider his qualifications sufficiently good to justify his appointment on his own merits. They can in no case operate to the advantage of a candidate, and may seriously prejudice his chances of success."

Promotions to the higher posts in the colonies are frequently made by transfer from one colony to another—with the double advantage of bringing the experience acquired in one part of the world to bear on work elsewhere, and of leading promising young officers to feel that successful work in a smaller colony will open out prospects of a wider field of activity. The task of selecting the most suitable candidate is not an easy one ; and a very important step in this direction was taken by the Earl of Elgin when he constituted a "Promotions Committee"—composed of the heads of departments, with an Assistant Under-Secretary as chairman, and the Private Secretary as representing

the Secretary of State, the Legal Adviser being added when legal promotions are in question.

Governors are required by the Colonial Regulations to make annually a confidential report on the qualifications of persons in the public service who are fitted for promotion, whether in the Colony or elsewhere, and these reports are carefully collated for the use of the Committee. When a Governor reports a vacancy, several of the most suitable names are put together, with their reports, including any recommendation made by the Governor, and the paper is circulated to the members of the Committee, who thus have an opportunity of considering the matter—and of putting forward any additional names which they may think should be included—before their next meeting. At the meeting the respective merits of the candidates are fully discussed; and the final recommendations of the Committee, put forward to the Secretary of State through the Permanent Under-Secretary, are almost invariably accepted.

It is difficult to see what more could be done to ensure that the scales shall be held evenly, and that promotion shall go solely by merit. All other considerations are eliminated. While the Department would naturally not be aware of it if attempts were made to bring influence to bear on the Secretary of State in favour of a particular candidate, it is allowable to conjecture that this has occasionally happened in the past, seeing that Mr. Joseph Chamberlain once found it necessary to address a circular despatch to Governors, instructing them to warn all public servants that any attempt on

their part to support their claims through Members of Parliament or other persons would operate to their serious disadvantage—and later Mr. Lewis Harcourt found it advisable to repeat the warning.

The Committee does not make recommendations for Governorships—a matter which, for obvious reasons, the Secretary of State must retain in his own hands. But here also great care is taken to select in the best interests of the public service. Though the Secretary of State must have a free hand as regards these appointments, and though no one in the Colonial Service has any claim to be regarded as eligible for them, it is nevertheless the case that Governorships, as well as the minor class of “Administrators,” “Resident Commissioners,” or “Residents,” are coming more and more to be the prizes of the Colonial Service. Out of the whole number at the disposal of the Secretary of State, at this moment four-fifths are held by persons who have worked their way up through the Service, and the remainder have all had colonial experience.

The Colonial Regulations make strict provision for maintaining the high standard of the Service. Officers are prohibited from engaging in trade or employing themselves in any commercial or agricultural undertaking; from directly or indirectly making or holding any local investment, speculating in, or being connected with, any company, occupation, or undertaking which might bring their private interest into real or apparent conflict with their public duties or influence them in the discharge thereof; from taking part in the management of,

or contributing anonymously to, any newspaper; and from allowing themselves to be interviewed on questions of public policy or matters affecting the defence and military resources of any British possession.

All officials hold office subject to the pleasure of the Crown; but elaborate precautions are taken in the Colonial Regulations to prevent unjust or arbitrary dismissal. An officer whose salary does not exceed £100 per annum may be dismissed or reduced by the Governor, but only after the alleged grounds therefor have been definitely stated in writing to the officer so that he may have full opportunity for exculpating himself, and after the Governor has investigated the matter with the aid of the head of the officer's department. The Governor can also remove such an officer for general inefficiency after he has had before him full reports from the heads of the departments in which the officer has served. Should the officer wish to appeal to the Secretary of State, the Governor is required to transmit the appeal with a short statement of the circumstances.

In the case of officers of higher rank, the Governor can only "suspend," and in doing so he is bound to conform strictly to the procedure laid down in the Regulations. He has to state in writing the reasons for the proposed suspension, and to call on the officer for a written statement of any grounds on which he may rely for his exculpation. If no satisfactory statement is furnished, the officer is required to appear before a Committee of the Executive Council where he is given every oppor-

tunity of defending himself. If after considering the Committee's report in Executive Council the Governor decides for suspension, the case is referred to the Secretary of State with all material documents, the officer being placed on half-pay pending the final decision. If the Secretary of State's verdict is against suspension, the officer receives his arrears of pay, and returns to duty; if the Secretary of State confirms the suspension, the dismissal is complete.

Should the Governor consider that the public interest requires that an officer should cease his duties instantly, he can "interdict" and forward a full report for the decision of the Secretary of State, meanwhile putting the officer on not less than half salary. In a case of general inefficiency, the Governor reports the matter fully, with the opinions of heads of departments, for the decision of the Secretary of State; and if the latter concurs he intimates to the Governor that it is the pleasure of the Crown that the officer concerned should no longer hold office.

Meritorious service in, or for, the Colonies is recognised by honorific distinctions of various kinds—usually by knighthood, or by admission into the Order of Saint Michael and Saint George, the Order of the British Empire, and the Imperial Service Order. The last named is confined to Civil Servants at home or abroad; for the others all British subjects are eligible, if qualified.

"The Most Distinguished Order of Saint Michael and Saint George" (known for shortness as the S.M.G.) was founded as an Order of Knighthood

by George III in 1818; and its constitution is regulated by Statutes made by the Sovereign, which have been amended from time to time to meet the growing expansion of the colonies. In precedence it ranks after the Order of the Star of India.

Foreign Princes and eminent foreigners are eligible for appointment to the Order as Honorary Members. Persons eligible as Ordinary Members are, in the language of the Statutes, "such Subjects of Our Crown, whether natural born or naturalized in the United Kingdom of Great Britain and Ireland or in any portion of Our Dominions beyond the Seas, as may have held or may hereafter hold High and Confidential Offices, or may have rendered or shall hereafter render Extraordinary and Important Services to Us and to Our Empire within or in relation to any part of Our said Dominions, or who may become eminently Distinguished therein by their Talents, Merits, Virtues, Loyalty or Services, and such others of Our said Subjects as by important and loyal Services in relation to the Foreign Affairs of Our Empire have merited or may hereafter merit Our Royal Favour."

Next to the King as Sovereign of the Order is the Grand Master (at present H.R.H. the Prince of Wales). The Officers of the Order are the Prelate, the Chancellor, the Secretary (the Permanent Under-Secretary of State *ex-officio*), the King of Arms, the Registrar (the Senior Assistant Under-Secretary of State *ex-officio*) and the Gentleman Usher of the Blue Rod. The Chancery of the Order is, by the Statutes, located in the Colonial Office.

The Chapel of the Order is in St. Paul's Cathedral, where a solemn service is held annually at which the names of deceased members are recited, and the banners of such as were Knights Grand Cross are removed from their stalls.

There are three classes of Ordinary Members.—Knights Grand Cross (G.C.M.G.), Knights Commander (K.C.M.G.), and Companions (C.M.G.). The numbers of each class are limited by the Statutes as follows, for colonial and foreign service respectively: G.C.M.G., 70 and 30; K.C.M.G., 210 and 90; C.M.G., 508 and 217. During the war the numbers were enormously expanded by the appointment of "Extra" members as a reward for military service, but as these disappear the Order will gradually return to its former size.

The S.M.G. is thus pre-eminently the Colonial Order, and the Secretary of State for the Colonies makes his recommendations, in respect of the Colonial share of it, direct to the Sovereign. Recommendations, in respect of colonial service, for the British Empire Order, and for the distinction of Knight Bachelor, go from the Secretary of State through the Prime Minister, who places a limited number of recommendations at the disposal of the Secretary of State. Those for the Imperial Service Order (whose numbers are also limited by its Statutes) go through the Treasury; the honour is conferred annually, but only a very few are available for the colonies.

Lists of honours are issued twice yearly—on the Royal Birthday and on New Year's day; and so far as practicable the Sovereign personally confers

knighthoods and invests all recipients with the insignia of their Order.

The selection of candidates is a difficult and invidious task. The fact that the number of members is limited increases the value to the recipient of admission to the Order of St. Michael and St. George, but it renders it impossible to reward in this way more than a fraction of those whose work deserves recognition. Each Governor periodically submits to the Secretary of State, in a confidential despatch, the names of those persons whom he wishes to be considered, and these lists form the basis of selection. The aggregate of the recommendations so received enormously exceeds the honours available on each occasion, and it is necessary to weigh carefully the respective claims of individuals whose work is well known to, and appreciated by, the Colonial Office, in bringing the list down to the predetermined number.

Mention should be made of the King's African Medal which is bestowed by His Majesty, on the recommendation of the Secretary of State for the Colonies, upon chiefs in West and East Africa as a recognition of specially good service.

The King's Police Medal, founded in 1909 as a reward for special acts of bravery in police duty, or for long and specially meritorious police service, extends throughout the Empire; recommendations in respect of colonial police officers go through the Home Secretary.

Chapter VI

FINANCE AND CURRENCY

NEARLY one-half of the Colonial Regulations are concerned with matters of finance, and the duties of all officers concerned with the receipt or expenditure of public money, or with the audit of the public accounts, are laid down in detail. It is the business of the Colonial Office to keep a watchful eye on the financial solvency of every Colony and Protectorate, and to this end the Estimates, when passed by the local legislature, must be submitted to the Colonial Office, where they are examined, more or less minutely according to the circumstances of the case. Not until the Secretary of State has signified his approval of the Estimates, and the Appropriation Law has been allowed by the King, is there any legal sanction for expenditure, as contemplated by the Estimates, on the public service. Unless in a special case of pressing emergency the Governor is not authorised to propose to his legislature the execution of any important public work until he has forwarded full particulars to the Secretary of State, and has obtained his previous sanction. Similarly, if it is desired to raise a loan, full explanations have to be sent to the Secretary of State, and his approval obtained, before the loan Ordinance can be introduced.

Most of the Colonies have loans, large or small,

and, as already mentioned, nearly 60 of these, to a total of about £80,000,000, are now domiciled with the Crown Agents. At one time the Colonial Office gave much attention to the possibility of merging such loans into a common Colonial Loans Stock. If it could have been done, the advantages anticipated were that—from the investors' point of view—there would be free dealings in such a large line of stock, and the lesser Colonies, in raising their comparatively small loans, would have the benefit of the general credit of the Colonies as a whole. However, examination revealed the presence of technical and other difficulties, and the project was reluctantly abandoned.

It is to the Treasury that the Colonial Office must go for such assistance from Imperial funds as it can extract towards keeping impoverished administration solvent, towards development and research, as well as for sundry colonial services; and the process of extraction is not altogether easy or agreeable. In such cases, when the Office has gone over the Estimates with a microscope and arrived at the smallest sum for which it seems possible to ask, these go to the Treasury where the microscope and the pruning knife again come into use—often with a considerable consumption of official time and energy. So strict is the Treasury control that, for three years after a Colony or Protectorate has ceased to require help, full financial returns have to be sent to that Department. The Colonial Office should be—and is—the taxpayer's first line of defence against excessive demands of this nature,

and, if only for selfish reasons, it has the strongest inducements to promote the financial independence of its protégés—a sigh of relief going up whenever that happy end is accomplished. Nevertheless, the Office should, perhaps, be better able to appreciate the Treasury position than most Departments, as it has to play a similar part in relation to many of its territories, and possibly its popularity with local administrations suffers accordingly. It is but fair, when a Department is writhing under what it regards as Treasury parsimony, to reflect that it is only one of many would-be raiders of the Imperial purse; and it will be an evil day for the country when Treasury control of its finance is weakened.

Most people are aware that the bulky Estimates presented to Parliament are, for convenience, divided into classes. The sums to be voted for Colonial Services, and accounted for by the Colonial Office, will be found in Class V. Fifty years ago that Vote was under £43,000. To-day the gross total is £1,216,000* (a net decrease of £47,000 on the previous year), as a set-off against which receipts amounting to £261,000 are anticipated. Of this total £363,000 represent statutory obligations, being annuities to repay the cost of constructing the Uganda Railway and of buying out the Charter of the Royal Niger Company—the former of which comes to an end now, and the latter in a few years' time. Of the remainder, £684,000 goes in grants-in-aid of the revenues of six Administrations—

* Figures mentioned here are taken from the Estimates for 1925-6, unless otherwise stated.

Cyprus (£50,000), Nyasaland (£110,000), Somaliland (£70,000), Tanganyika (£350,000), Northern Rhodesia (£100,000), and St. Helena (£4,000). It will be seen that the mandated territory of Tanganyika accounts for more than half of the whole amount, as a consequence of its being found derelict at the close of the East African campaign. The expenses of the Western Pacific High Commission (£19,000 odd), and of the High Commissioner for South Africa (£9,000) are met from this Vote, as also are expenditure in connexion with the Irish Free State, amounting to £38,000, and the cable bill of the Colonial Office (£11,000).

A member of the Office (in recent years, an Assistant Under-Secretary) is the "Accounting Officer" for the Colonial Office Vote, and also for the Colonial Services Vote. The holder is appointed by the Treasury on the recommendation of the Secretary of State, and is for this purpose a Treasury officer; that is to say, he signs the Annual Accounts and thereby makes himself responsible for them. If he were not satisfied that any expenditure had been incurred under proper authority, it would be his duty to refuse to accept the item on his accounts, unless and until he received a written order from the Secretary of State to pass the item, in which case the responsibility would be transferred from his shoulders. The point is, fortunately, academic; but the Accounting Officer has a very real responsibility, which would be painfully brought home to him if anything went amiss. Every year he has to appear before the House of Commons Committee on the Public Accounts, to offer any explanations

that the Committee may require in the light of the Comptroller and Auditor-General's report on his accounts. This is easy enough, but the members are apt to display an embarrassing curiosity about administrative matters (unconnected with the accounts) in the colonies to which the Colonial Services Vote relates, with the result that the Accounting Officer has to undergo an examination that must remind him forcibly of his "vivas" at an earlier period of his career. To answer all the questions put to him, he would have to know all about everything. Happily the Chairman of the Public Accounts Committee is always an experienced member of the House, and makes things as easy as possible; and, indeed, any one who has been through the ordeal must retain a grateful recollection of the forbearance and courtesy invariably extended to him by every member of the Committee.

Currency.

In matters of currency, the colonies have been left free to adopt the system that best suited the circumstances of their external trade. Hong Kong, owing to its trade connexion with China, has been compelled to remain on a silver basis, its currency being the Mexican silver dollar and the "British dollar." Ceylon, Mauritius and Seychelles have a rupee currency. In British Honduras the standard coin is the United States gold dollar. Bermuda, Barbados and the Leeward Islands use British coin with no limit to the legal tender of silver. Jamaica, Trinidad, the Windward Islands and British Guiana have British sterling and United States gold coin;

the Bahamas have British sterling and United States current coin. In some of these administrations, where United States coin is legal tender, the curious position obtains that the Government keeps its accounts in sterling while the public keep theirs in dollars and cents.

.In the last 20 years there have been three cases in which the Colonial Office has been compelled, by the force of circumstances, to intervene directly in currency questions:—

(a) *The Straits Dollar.*

Up to 1895 the trade of Singapore was conducted on a silver basis. This trade, owing to the phenomenal development of the Malay Peninsula, had assumed vast proportions, rising from £26,000,000 in 1873 to £70,000,000 in 1905; and as it was mainly conducted with gold-standard countries the frequent and heavy fluctuations in the value of silver in terms of gold had the result that trade was more or less of a gamble for those engaged in it. Equally the local Government was very gravely inconvenienced; for with large gold commitments in this country it could not know beforehand what amount of dollars would be required to satisfy them, and its budgets were liable to serious dislocation in consequence. The position became so acute that there was a general measure of agreement that the only remedy was to place the coinage on a gold basis.

In 1902 the Colonial Office took the matter up. The first step was the appointment of a Committee which reported in favour of the change. As a

preliminary measure a new Straits Settlements dollar was coined in 1903 and introduced into Malaya, being declared by Order-in-Council the standard coin, while the previously existing silver coins (Mexican and "British" dollars) were demonetized in 1904. This new dollar, of course, still remained on a silver basis, and the final step—to fix and stabilize its value in terms of gold—had yet to be taken. As to this there were two schools of thought, dependent on the opposing interests involved. Those who had to pay out dollars naturally desired to get the greatest amount of gold for them, while those who had to lay out gold for services in Malaya as naturally desired to get the largest number of dollars for their sovereigns; and there were vigorous exponents of the respective virtues of a 2s. and a 2s. 6d. dollar. The Department took a middle course and after very careful discussion "pressed the button," with the concurrence of the local Government, in 1906, at the moment when, in the course of exchange fluctuations, the dollar stood at 2s. 4d. By Order-in-Council the Currency Commissioners (the local body charged with the duty of issuing and redeeming Government notes) were empowered to issue notes in exchange for gold at the rate of 60 dollars for £7—and of course to redeem them accordingly—thus fixing the sterling value of the dollar at 2s. 4d.

(Incidentally it may be mentioned that the Treasury regard the regulation of coinage throughout the colonies as a surviving part of the Royal "Prerogative," and accordingly all changes therein are made operative by an Order of the Sovereign in Council.)

One of the reasons which actuated the Colonial Office in fixing the dollar at 2s. 4d. rather than at a smaller figure was the danger—foreseen by them but impossible wholly to guard against—that the coin might, by fluctuations in the bullion value of silver, become “undervalued”—i.e. that the value of the dollar as bullion might become greater than its value as a coin; in which case the dollars would be melted down and sold as fast as they could be put into circulation. This danger did, in fact, present itself within a very short time, but the remedy (though inconvenient enough to the Administration) was simple. By another Order of 1907 the weight of the dollar was reduced, as was its “fineness” (i.e. its silver content) in 1920 during the great rise in the price of silver. Of course neither of these measures had any effect on the exchange value of the dollar—which had become a token coin in relation to sterling—and the complete success of the experiment is evidenced by the fact that from the time of its inception, and throughout the critical period of the War, the fluctuations of the dollar exchange on London have remained within the limits of a farthing either way.

(b) The West African Currency Board.

Prior to 1912 the currency of West Africa (with one unimportant exception) was British silver, of which it had absorbed an enormous quantity. As the value, in terms of gold, of an ounce of silver coin is 5s. 6d., while its value as bullion had been declining to less than half that amount, the profit to the Imperial Treasury was very great; and a

strong feeling had grown up among merchants and others interested in the West Coast that in fairness this profit should be diverted to the revenues of the colonies out of whose trade the profit had arisen. Proposals to surrender, or share, the profit met with no response from the Treasury who, however, were not insensible to the possible dangers of the situation. As they treated the profits of the Mint as part of their yearly revenue, and had not accumulated a fund for the redemption of redundant coinage, any collapse in West African trade would have meant the repatriation of vast quantities of coin, with embarrassing consequences for themselves.

The whole question was examined in 1911 by a Colonial Office Committee, on which the trading interests were strongly represented, and a scheme was evolved to which the Treasury agreed. A West African Currency Board was established in London, under the control of the Secretary of State who appointed its members and framed regulations for its guidance, its duty being to provide and control the supply of currency to the British West African Colonies and Protectorates. Its first Chairman was an Assistant Under-Secretary of State, the other two members being a Crown Agent and the General Manager of the Bank of British West Africa, Limited. Fortunately, this was the only British Bank then operating on the Coast, and it was thus possible, without exciting jealousy, to appoint its manager to a seat on the Board, to whom his assistance was, and still is, invaluable.

The operations of the Board may be described in outline very simply. A West African silver coinage was minted, of distinctive design, but of the same names and the same silver content as the corresponding British coins, and was legal tender to any amount. The Board appointed the Bank as its Agent, and the currency operations at the Bank's branches in the Colonies were supervised by a "Currency Officer" at each centre. If merchants desired to have coin on the Coast for the purchase of West African produce, they obtained either directly or through the Bank (and in practice almost invariably through the Bank) supplies of the new coinage by paying its face value in sterling to the Board in London, together with a small charge representing part of the cost of transport, and received the coin from the Board's Agent on the Coast. Conversely, if they, or the Bank, had more coin than they required, they could pay it in to the Currency Officer and receive its sterling value from the Board in London. British silver was not demonetized, but the Board were permitted to repatriate a certain amount yearly, which the Treasury took over at face value.

West African trade is seasonal. For a few months it is difficult to pour money into the coast quickly enough to keep pace with traders' requirements for the purchase of crops. Then the demand slackens, and coin begins to flow back to the Bank as the natives expend their profits on necessities and luxuries. The Board might thus have expected an annual movement in each direction—heavy receipts for coin sold, followed by heavy disburse-

ments for coin brought back to them. But, owing to the continuous expansion of trade and the growing use of coin by natives, West Africa continued for years to absorb coin as a sponge absorbs water, and the backward flow to the Board was almost non-existent.

It might have been anticipated that the outbreak of war would have tested the Board's resources very severely; but this was not so, and indeed the existence of the Board proved to be the salvation of West African trade. Currency was in urgent demand, and the Royal Mint—fully occupied with home requirements—could have supplied none; but fortunately the Board had previously made arrangements for the supply of coin, under the Mint's supervision, by a private firm. Even so, the position was at one time desperate; the Board only saved it by scouring the country for coin which it sent out—somewhat to the annoyance of the Treasury—to supplement its own stocks; by issuing its own notes; and by making temporary use of British currency notes.

Experience showed that notes, while useful in an emergency, were not wholly acceptable to the natives; and in 1919 the Board decided to introduce an alloy coin, which would serve the double purpose of gradually replacing the notes and, as it superseded the silver coinage, of diminishing the inducement to hoard currency. As things turned out, the new coinage served still another purpose, for silver rose to a price at which the bullion value of a shilling was far higher than that of the shilling as a coin; so that if the Board had continued to coin silver

on the old basis it would have been a heavy loser, and the coins would have vanished as fast as they were put into circulation. At one time the Board had contemplated following the example of the home Government, and reducing the silver content of its coins, but in the event the alloy coinage proved to be the better remedy.

The financial success of the Board in its earlier years would have made a Company Director's mouth water. Starting life with no capital, but a loan of £250,000 secured by the joint responsibility of the four local Governments, in a very few months it had wiped out the debt and had a comfortable balance in hand; and thereafter it continued to pile up its reserves rapidly. In 1919 it had £4,000,000 invested. At the close of the war there was an outburst of trading activity, with a colossal expansion of the currency, followed early in 1920 by a sudden and severe depression. In the ensuing 16 months the Board was called upon to pay over £10,000,000 in London to the holders of redundant coin, but it easily met the demand—as well as a further £2,000,000 in the following year. Trade then began to revive, and in June, 1924 (the latest date for which figures are available) the Board's invested funds amounted to upwards of £8,000,000.

The consideration which led to the creation of the Board was, as has been said, the expectation that when its financial stability was fully assured the Colonies concerned would benefit by the profits on the coinage. It was possible to begin the realization of this hope in 1920, and in 5 years the Board

has distributed £750,000 to the Colonial Governments as a welcome addition to their revenues.

(c) *The East Africa Currency Board.*

The difficulties of the exchange and currency position in East Africa at the end of 1919 led the Secretary of State to constitute an "East Africa Currency Board" on the model of the West Africa Currency Board; but the conditions in East and West Africa were very different, and the Board (consisting of two Crown Agents and a member of the Colonial Office) were confronted with a complex and unsatisfactory situation.

Until that time, the local unit of currency was the Indian rupee. When East Africa was transferred from the Foreign to the Colonial Office in 1905, a local Currency Board had been set up for the issue and redemption of East African notes expressed in terms of rupees; but they had no concern with the coinage, which consisted of the rupee of British India as the standard coin, with various Indian and local subsidiary coins. British sovereigns were also legal tender at 15 rupees to the £—the rate (1s. 4d.) at which the Indian Government had maintained their rupee for many years past. From 1917, owing to trade conditions, the rupee began to appreciate until, at the end of 1919, its exchange value had risen to 2s. 4d. The effect on East African development was bad; and as the Indian Government, early in 1920, decided to take steps (unsuccessfully, as it proved) to stabilise the rupee at 2s. gold (at that time equal to 2s. 9d. sterling) the Secretary of State determined—after local

Ordinances had been passed temporarily fixing the exchange value of the rupee in East Africa at 2s. 4d.—to replace the Indian rupee currency by a local rupee and to fix it at 2s. The Board accordingly prepared to mint local rupee coins and to print rupee notes; but hardly had they done so when they were informed that the decision had been modified and that it had been decided to express the new coinage in terms of florins—thus abandoning the Indian terminology—and to demonetize the sovereign. The new decision was taken in time to stop the minting of rupees but not the printing of rupee notes, a number of which had already been despatched to East Africa.

The minting of the florin coinage, with fractional parts expressed in cents, was then taken in hand, and a considerable quantity was sent out to East Africa. The florin had been stabilised at 2s., but no sooner had this been done than the exchange value of the Indian rupee began to fall more rapidly than it had risen, in spite of the efforts of the Indian Government to maintain it. There was much controversy on the subject of the stabilisation; but after the question had been considered by a local Committee and the local legislature, it was decided to adhere to the principle of stabilization to sterling, but to substitute the shilling for the florin as the standard coin.

The burden imposed on the Board by these changes of policy was heavy. From the old Currency Board they had inherited a net liability of £250,000. Redemption of Indian rupees at 2s., when they were worth far less, was a costly business. In addition,

they began to redeem the German rupee coinage circulating in Tanganyika. Trade was at a low ebb. Their first year's balance sheet showed a loss of £800,000, and they had borrowed £1,400,000.

In the following three years the redemption operations were completed. The florin coinage had been withdrawn and reminted—not without cost. The German rupees had been redeemed at a total loss of £600,000, and the Indian rupees at a loss of nearly £1,500,000. The Board had suffered badly from the slackness of trade; but by June, 1924, their shilling currency was firmly established throughout East Africa, they had extinguished their loans, and had very nearly £1,100,000 in hand as the foundation of a reserve fund against the £4,000,000 of their new currency then in circulation. The trade depression had begun to pass away. The Board had struggled successfully through their early difficulties, and had justified their existence.

The principle of the Board's normal currency operations is identical with that of the West Africa Currency Board. Persons desiring currency tender sterling to the Board in London and receive supplies in East Africa; and those having redundant currency tender it to the Board's local currency officer and receive a mail or telegraphic transfer on London.

Chapter VII

THE INDIAN QUESTION IN THE COLONIES

THIS matter has aroused so much attention in recent years, and the policy of the Colonial Office in relation to it has been the subject of such acute controversy, that it may appropriately be considered here in some detail.

The abolition of slavery threatened the sugar-growing Colonies with ruin, for the emancipated negroes would no longer work on the estates of their former masters. Mauritius was the first to take effective steps to meet the situation, and in 1834 the sugar planters began a large importation of Indian labour. The Indian Government soon became alive to the necessity of regulating the movement, and passed laws in 1837 to provide that the terms of contracts should be approved by them, and to ensure the wellbeing of emigrants on the voyage. Emigration to Mauritius under these laws was continued, and emigration to British Guiana began. In the latter Colony the situation had been desperate. For the lack of labour, cotton and coffee plantations had gone out of cultivation, as also had many of the sugar estates; and private enterprise had vainly attempted to attract Portuguese and Spanish labour.

It was manifestly impossible to incur the expense of conveying labourers to such distances if they

were free to leave their employers immediately on landing; and accordingly the emigrants were recruited under a system of indenture, whereby they contracted to serve employers for a certain period with a promise of a return passage, if they chose to avail themselves of it, at the expiration of their contracts. In view of the advantage to the Colony generally, the expense was shared between the local Government and the planters.

Hardly had the system of indentured labour been started when it was assailed in Parliament, and emigration was suspended, to be resumed in 1842 after discussion in the House of Commons. Mauritius had by then taken the first steps, from the side of a Colonial Government, to regulate the movement by appointing responsible emigration agents in India and a Protector of Immigrants in the Island. Emigration to Jamaica, Trinidad, and British Guiana was permitted by the Indian Government in 1844; suspended in 1848 owing to the high death rate during the lengthy sea voyage; and resumed in 1851. It was allowed to Natal in 1860, and to Fiji in 1885.

The system, in its earlier years, was not free from defects. These might have been expected, in any case, until experience in its working had been acquired; but it was asserted that there was a tendency on the part of the planters, not sufficiently discouraged by the Colonial Governments in which their influence was powerful, to force the labourers into re-indenturing when their original contracts had expired, and to discourage them from settling down as free settlers. Commissions were appointed

between 1870 and 1872 to enquire into the alleged grievances of the Indians in these respects, and the action taken on their reports put an end to all serious abuses in British colonies.

It cannot be said that this emigration was ever popular in India. The difficulty of thoroughly supervising the operations of recruiters in the interior who often picked up casual persons in ignorance of their occupations or capacity for work, and the consequent enlistment of "bad bargains" who had to be returned, tended to bring discredit on the system. Persons recruited at a distance frequently left the country without communicating with their friends, who not unnaturally suspected that these, to them, mysterious disappearances were due to kidnapping.

The attitude of the Indian Government towards the system was, until recently, one of more or less benevolent neutrality. They were careful for the protection of the emigrant, but dissociated themselves entirely from any active promotion of emigration. When invited by Lord Salisbury, as Secretary of State for India, to co-operate in the interests of India, they flatly declined; and, as native opinion became more articulate, they showed an ever increasing indisposition to sanction indentured labour on any terms.

Meanwhile the Marquess of Crewe, as Secretary of State for the Colonies, had appointed a Committee of representatives of the Indian Government and the Colonial Office, with Lord Sanderson as Chairman, to examine the question in all its bearings.

In their Report of 1910 the Committee recorded

their view on the general question. "In tropical climates where the needs of the indigenous population are few and simple, and where there is an abundance of fertile land open to their use, it is impossible to obtain from local sources a sufficient supply of labour for the development of industries dependent on steady and continuous work; and in such conditions recourse must be had to the introduction of some alien race whose previous traditions and methods of work have inculcated habits of steady and regular work. In this manner Indian indentured labour immigration has rendered invaluable service to those Colonies in which, on the emancipation of the negro slaves, the sugar industry was threatened with ruin, or in which a supply of steady labour has been required for the development of a Colony by methods of work from which the native population is averse; and the majority of the Indians who remain in a Colony after the expiration of their indentures, either as small proprietors or as free labourers, prove a valuable addition to the population, and in the second or third generation often become men of considerable property."

It was the view of the Committee that all the considerations pointed to the expediency of permitting the introduction of Indian labourers where the need of steady agricultural industry is strongly felt, provided always that they had the opportunity of acquiring suitable land and settling down as small cultivators at the expiry of their contracts, if they wished. On the other hand, they were convinced of the inexpediency of continuing the

system beyond the time when sufficient local labour became available.

As regards the imputation that the system, as established in the British Colonies, partakes of the nature of slavery, they reported: "Our unhesitating opinion is that no such charge can be substantiated against it as it at present exists and has been in practice during the last 20 or 30 years." They were also satisfied that, in the present condition of India, indentured emigration was the only practicable form of emigration to distant colonies on any considerable scale.

Three years later the Government of India instituted an independent enquiry into the condition of the Indians in the colonies. They sent out, in 1913, a member of the Indian Civil Service, accompanied by an Indian gentleman, who, after prolonged investigation on the spot, produced voluminous reports on conditions in British Guiana, Trinidad, Jamaica, and Fiji. While they pointed out what they considered to be defects, they were emphatic in their testimony that the advantages of the existing system had far outweighed any disadvantages. They found that "the great majority of the emigrants exchanged grinding poverty, with practically no hope of betterment, for a condition varying from simple but secure comfort to solid prosperity." The emigrants lived "under very much better conditions than their relatives in India, and had opportunities of prospering which exceeded their own wildest hopes. They became citizens of the Colonies to which they emigrated, and both they and their descendants had attained to positions

commanding general respect and consideration."

Statistics show the results of this indentured immigration on the composition of the population in the Colonies chiefly affected. In Trinidad, out of a population of 360,000, one-third are Indians; in Jamaica, with a population of 900,000, though the Indians form less than one-thirtieth, they outnumber the whites by nearly two to one; in British Guiana, with a population of 300,000, the Indians number 124,000, as against 9,000 Portuguese and 3,000 other whites; in Fiji, with a population of 157,000, there are 60,000 Indians and 4,000 whites. In Mauritius the results are still more remarkable. Out of a total population of 370,000 the Indians number over 70 per cent.—of whom nine-tenths were born in the Island; and they are described as predominant in domestic, commercial and agricultural pursuits, while the amount of land held by them as small planters is steadily increasing.

Nevertheless, the agitation in India against the system of indenture, which had been proceeding and gathering force for some years previously, attained its end in 1916 when a Resolution, that early steps be taken for the abolition of the system, was accepted in the Legislative Council. Indentured emigration to Natal and Mauritius had already been prohibited by the Indian Government in 1910. In accepting the resolution the Viceroy, while acknowledging that in matters concerning the physical well-being of the coolies the Colonies had done their utmost, stated that no one who knew anything of Indian sentiment could remain ignorant of the deep and genuine disgust to which the continuance

of the indentured system had given rise ; and that educated Indians looked upon it as a badge of helotry. The Viceroy himself was utterly opposed to the system, and he had received the authority of the Secretary of State for India to accept the resolution, with the reservation that the existing system must be retained until new conditions, under which labour should be permitted to proceed to the colonies, should have been worked out with the Colonial Office and the colonies concerned ; and until the latter should have had reasonable time to adjust themselves to the change.

Effect was given to the resolution in the following year, when a regulation was made, under the Defence of India Act, prohibiting any native from departing by sea out of British India, for the purpose or with the intention of labouring for hire in any country beyond the limits thereof, save under licence. When the Defence of India Act expired after the termination of the war, the prohibition of indentured emigration was continued by the Indian Emigration Act of 1922.

There can be no doubt that the Indian attitude towards indentured labour was associated with, and in part at least inspired by, the growing sensitiveness of educated Indians as regards their position outside their own country, and their claims to recognition which progressively increased until they took the form of a demand for equality of status with any other British subjects in every part of the Empire. Their attitude with respect to the Dominions will be noticed later,* when treating of the Imperial

* pp. 173-185.

Conferences in which their claims were urged. As regards the colonies they selected Kenya as their battle-ground, and their case—partly political and partly commercial—is briefly this.

From Zanzibar, Indian traders had been found along the coast of East Africa for centuries before the British had appeared there. When the Uganda railway into the interior was begun in 1895 its construction was carried out by means of Indian labour, recourse to which was had only after it had been found impossible to obtain native labour either in sufficient quantities or of a sufficiently continuous kind. 18,000 were so employed, under voluntary contract for three years with a right to a return passage. When these labourers had done their work, many Indians remained in the country as clerks, artisans or traders; they now outnumber the Europeans by more than two to one. Apart, therefore, from their inherent rights as British subjects, or from the consideration due to the assistance rendered by India during the war, they claimed that they had special grounds for recognition in Kenya; and yet they were debarred from acquiring land in the best part of the Protectorate (as it then was), whether by direct grant or by purchase from Europeans. They therefore demanded—and still demand—full equality with Europeans as regards right of entry into the country and acquisition of land there. On the political side, they claim full voter's rights on a common register.

Those who oppose the Indian demands have their answer ready. Whatever the connexion of Indian

traders with the country in the past, it was confined to the coast. Until British effort had broken the power of the savage and warlike tribes in the interior, no Indian could have penetrated therein save at the imminent peril of his life. The Indian agriculturist has been, and is, non-existent, save for a few market gardeners. Those who built the Uganda railway came as labourers and, their work done, for the most part returned home. Those who remained, and those who have since come in (mainly as petty traders) owe their position entirely to the expenditure of British life and treasure.

The attitude of Indian agriculturists—the only class that might be expected to contribute anything to the material development of the country—is illustrated by what happened recently in the case of the mandated territory of Tanganyika. In 1919 the Secretary of State for the Colonies, Viscount Milner, made an offer to the Indian Government to discuss the possibility of encouraging the settlement of Indians of a desirable class (agriculturists and ex-service men) in some part of Tanganyika, and that Government despatched a representative to discuss the matter with the Governor. At the same time they consulted their local Governments on the suggestion that areas, sparsely inhabited by natives but suitable for colonization, should be set apart as a reserve where Indians could practise their traditional methods of agriculture under a system of small holdings. Of the Governments consulted, one declined to express an opinion, four were pretty clear that agriculturists would not be attracted by the scheme, and one thought that success would

only be possible, if at all, by making a start with a few settlers who must be tempted by large grants, large concessions, and facilities for occasional return to India. The Indians in East Africa were against the proposal on political grounds, fearing that special treatment in a particular place might prejudice their claim for equal treatment everywhere. Finally the Indian Government rejected the offer—at the same time reiterating the demand which they had previously made for the appointment of a Royal Commission, on which they should be represented, to consider the whole question of the administration of the East African territories.

The highlands of Kenya—about one-tenth of the total area of 250,000 square miles—are unique in East Africa, in that they form the sole district in which Europeans can hope to settle and multiply. Some few British settlers had established themselves there as early as 1897, but it was from 1902 that their numbers steadily increased. After the war the British Government encouraged ex-service men to emigrate there, and the settlers for the most part have devoted themselves, in circumstances of considerable discouragement, but with energy and perseverance, to the cultivation and material development of their adopted country. Their position towards the Indian claims has been so strong, and their attitude so determined, that the British Government, after much negotiation and the exercise of some pressure, have been compelled in the main to recognize its justice.

There is no need to import into the consideration of the subject, as the Indians have done, any question

of supposed racial inferiority or a colour bar. The plea for equality of treatment falls to the ground when it is remembered that there can be no reciprocity. The Indian can settle and thrive anywhere in Kenya; the European cannot settle and thrive in India, for Nature has interposed an impenetrable climatic barrier. With no restrictions, the position of the British in Kenya would be governed by the operation of an economic law—that the man who can live on sixpence a day will necessarily drive out the man who requires ten times that amount, provided always that the latter is content to submit himself to the law and to take no steps in self-defence. The Government of South Africa, at close grips with the question, have been compelled to look upon it as a matter of life and death, and to take up the position that the maintenance of Western civilization is incompatible with unrestricted Indian immigration. If this is true for that country, with its great resources, it can be no less true for the small white community of Kenya who, in asserting their right to exist, should, logically, have the active sympathy of Anglo-Saxon democracy throughout the world.

Confronted by these conflicting claims, and the continued pressure of the Indian Government and the India Office, the position of successive Colonial Secretaries who have had to deal with the situation has been sufficiently difficult. Account had to be taken of the position, and the rights, of two other races—the natives who outnumbered the Indians by a hundred to one, and the Arabs who were equal in number to the whites. The question had to be

considered from its political, economic and sanitary aspects.

On one point there has been uniformity of treatment. As early as 1906, and again in 1908, Lord Elgin accepted the principle of reserving the highlands for European settlement, and his successors have not departed from it. The Duke of Devonshire, when reviewing the whole question in 1923,* indicated clearly that to do so would be a violation of the understanding on which, for the previous fifteen years, European British subjects had been encouraged to develop the highlands by taking up land there; and Mr. J. H. Thomas held out no hope that the policy would be reconsidered.

To balance the reservation of the highlands, Lord Milner had offered to make a similar reservation in the lowlands for Indian agriculturists, and to give the Indian Government the opportunity of pronouncing on its suitability and adequacy. The offer was repeated by the Duke of Devonshire as an experiment to test by experience whether there was any genuine desire for agricultural land by Indians who would be prepared to develop it themselves; but Mr. J. H. Thomas found in the following year that the proposal was unacceptable to the Indian Committee who had conferred with him, and who were opposed to any reservation of land for any immigrant race.

By 1912 sanitary conditions in Nairobi had become so disquieting that a distinguished expert was sent out to investigate, and his report disclosed

* His Memorandum on the subject was published as a Parliamentary Paper, Cmd., 1922.

such an alarming state of affairs, and so many potential plague foci, that he was compelled to advise a system of racial segregation in both the residential and commercial areas of townships. The Indians bitterly objected; but it was felt that the rights of a British subject do not include the right to poison his neighbours, and the Secretary of State (Lord Harcourt) accepted the recommendation, which Lord Milner upheld at a later period. In 1923, however, the Duke of Devonshire, basing himself on the view of other medical authorities, decided that segregation of Europeans and Asiatics was not absolutely essential as a sanitary measure, and that the end in view could be attained, without racial discrimination, by rigid enforcement of police, sanitary and building regulations. Legislative segregation as between European and Asiatic was therefore condemned, though segregation—so far as practicable—was accepted as necessary in the case of natives resident within townships.

Though not so stated, it is an obvious corollary that the administration of municipal affairs must be in the hands of those who can be trusted to maintain a European standard in sanitary matters.

As regards immigration, the Duke of Devonshire announced that only in extreme circumstances would His Majesty's Government contemplate racial discrimination by legislation designed to exclude from a British Colony immigrants from any other part of the British Empire. Nevertheless economic considerations must be kept in mind, strict regard must be paid to the interests of the natives, and from this point of view some further control over

immigration was requisite. The Governors of Kenya and Uganda were to explore the matter further, and to submit proposals for securing that amount of control of immigration required by the economic interests of the natives in both dependencies. His successor, Mr. J. H. Thomas, endorsed this view by stating in the House of Commons that if the danger ever arose of such an influx of immigrants of whatever class, race, nationality or character as might be likely to be prejudicial to the economic interests of the natives, he held himself entirely free to take any action that might be necessary.

On the political side, successive steps were taken in the vain hope of satisfying Indian sentiment. In 1909, when the agitation was still in its infancy, the Colonial Office had tried the experiment of adding a nominated Indian member to the Legislative Council of the East Africa Protectorate; but the results were not sufficiently satisfactory to warrant a repetition of the experiment when the member's term of office expired. In 1920, when elective representation on the Kenya Council was first granted to the white settlers, Lord Milner decided that arrangements should be made for the election of two Indian members on a special franchise, and for elective representation of Indians on Municipal Councils. The proposal did not satisfy the Indian Government, and protracted discussions followed. In 1922 a further offer was made by the Colonial Office. The idea of a special franchise was to be dropped, and a common electoral roll for all British subjects was to be substituted, with

such franchise qualifications as would ensure a ten per cent. Indian electorate. The result would be that, while the official majority was maintained, there would be 7 or 8 elected European, as against 4 Indian, members. An Indian had already been appointed to the Executive Council.

The proposal satisfied neither party. The Government of India were willing to agree to it under protest; but the Indian political leaders made it evident that they would only accept it as a basis for further demands, and would be satisfied with nothing short of complete equality. The European settlers, already outnumbered by two to one and fearing a further influx of Indians, considered that the effect would be to establish Indian domination on the Council, and eventually to deprive them of all representation therein. In the result the Duke of Devonshire withdrew the offer of a common electoral roll, and decided that the Indians should return 5 members, as against 11 Europeans, to the Legislative Council, to be elected on a wide communal franchise. This solution was upheld by his successor. The Indians, faithful to their principle of all or nothing, have not accepted the decision, and appear to prefer that their 5 members should be nominated by the Governor rather than be elected in the manner proposed.

Chapter VIII

WESTERN AND EASTERN DEPENDENCIES

THE earliest colonies—Newfoundland and the North American settlements—were for long the victims of the selfish policy pursued by the mother country, though in this respect she was only following accepted practice in Europe. Thus Newfoundland, which claims the distinction of being the oldest British colony, was to remain desolate in the interests of the fishing industry and of the marine. Settlement within 6 miles of the coast was forbidden; fishermen were required to return home at the end of the fishing season; a house could not be built or repaired without special licence. Even when she grew out of these restrictions, her development was hampered by Britain's political engagements. By the Treaty of Utrecht in 1713, which recognised British sovereignty over Newfoundland, certain fishing rights were granted to the French which they claimed to be exclusive, and which in any case prevented the opening up of the coastal district along which the rights extended. The result was a series of disputes between the two countries that lasted for nearly 200 years, and for a long time the "Newfoundland Fisheries Question" was a standing dish at the Colonial Office. More than once it was only the tact and common sense shown by the naval officers of both Powers that averted an open rupture.

Attempts at a settlement made by the Colonial and Foreign Offices were rejected locally, and it was not until 1904 that the dispute was arranged by an Anglo-French Convention which set free two-fifths of the whole Colony for industrial enterprise.

By the Navigation Laws of the 17th and 18th centuries—described by Adam Smith as a policy unfit for a nation of shopkeepers, but very fitting for a government influenced by shopkeepers—the colonies were forbidden to export or to import save in British vessels, and were required to export certain of their products (known as the “enumerated articles”) to Great Britain only. A series of enactments, passed under the baleful influence of the Board of Trade and Plantations, aimed at preventing, or destroying, colonial manufactures that might compete with British. Intolerable as these restrictions were in America, they had a compensating advantage for the West Indies whose agricultural products found a heavily protected market at home; but the emancipation of slaves brought ruin in its train, from which the islands were very slow in recovering, and Imperial grants-in-aid were required from time to time to keep them from insolvency. Their distressed condition was a constant source of anxiety to the Colonial Office, and in 1897 Mr. Joseph Chamberlain sent out a Royal Commission to discover a remedy. At their suggestion he established an Imperial Department of Agriculture for the West Indies, supported by Parliamentary grants, which made its headquarters at Barbados; and thereafter the clouds began slowly to lift, until within a dozen years the Secre-

tary of State for the Colonies was able to announce that no West Indian Colony was then in receipt of a grant-in-aid. Under the skilful guidance of its two Commissioners—Sir Daniel Morris, K.C.M.G., and his successor Sir Francis Watts, K.C.M.G.—the Department rendered most valuable services to the Islands by investigating plant diseases, introducing new and disease-resisting varieties of sugarcane, establishing subsidiary industries, and assisting to bring the principles of elementary science and agriculture into the curriculum of the primary and secondary schools. A further step forward was taken when Lord Milner created a West Indian Agricultural College in Trinidad, which absorbed the Department of Agriculture; and this was enlarged in 1923, by the Duke of Devonshire, so as to have an Empire-wide scope, its title being changed to the Imperial College of Tropical Agriculture.

Owing to the war the sugar producing colonies experienced a short period of great prosperity, but with the subsequent reaction, the economic position of the West Indies again became unsatisfactory, and several of the colonial governments had to come to the assistance of their staple industries. The efforts of the Colonial Office to help the islands were mainly directed towards promoting more intimate commercial relations with Canada and providing better steamship and telegraphic communication. The steamship service has always presented difficulties, which have not yet been overcome; but by the co-operation of the Imperial, Canadian and island Governments an all-British cable has now been laid to the West Indies, and has been handed

over for operation to the Pacific Cable Board who, by the end of 1924, were in a position to send their first message over it—being one of greeting from the King to his West Indian subjects.

It will occur to everyone, as an obvious reflection, that there must be a waste of energy in the existence of a dozen legislative bodies within the West Indies proper—some of them with an area of jurisdiction less than that of an average County Council in England—and various proposals for confederation have been put forward from time to time. They have, however, failed to take account of the strong local feelings in favour of mutual independence, and have come to nothing; but attempts at grouping administrations have been made with more or less success. In 1838 one Governor was appointed for Barbados, St. Vincent, Grenada and St. Lucia; and this lasted till 1885, when Barbados was omitted. Grenada had been granted a Legislative Assembly in 1875, and this body at its first meeting passed a Bill for its own extinction and adopted an Address to the Queen praying her to establish such form of government as she might deem most desirable for the welfare of the Colony. As the result, an Imperial Act was passed empowering Her Majesty to comply with the Address, and in 1877 Crown Colony government was established and a Governor of the Windward* Islands reconstituted. The arrangement is peculiar in that

* So called from early times as being the most exposed to the prevalent N.E. Trade Winds, in contradistinction to the Leeward Islands as the less exposed.

it provides for no common legislature, laws, revenue or tariff. Each island has its own Legislative Council, into which—as the result of a visit by the Parliamentary Under-Secretary of State for the Colonies—an elective element has recently been introduced.

In 1871 an attempt at somewhat closer grouping was made, when an Act of Parliament combined six* of the islands into the single Colony of the Leeward Islands. In this case a central Legislative Council was set up; half of its members are elective, being chosen by the island Legislative Councils of which they must be, and remain, members. The central body possesses concurrent legislative powers with the island legislatures on certain matters specified in the Act or declared by an island Council to be within its competency. It may be noted that three of the island legislatures at different times abrogated themselves and substituted the system of Crown Colony government.

Save for the special interest attaching to the problems presented by East and West Africa, the group of Eastern dependencies are pre-eminent in attractiveness among the British Colonies by reason of their history, their characteristics, or their unexhausted possibilities of development. They comprise the little Seychelles Islands, where General Gordon discovered the site of the Garden of Eden and identified the tree of the knowledge of good and evil; Mauritius, which contains the largest settled European population of any tropical colony,

* Now five: Antigua, St. Kitts, Dominica, Montserrat and the Virgin Islands.

and but for the recurrent cruelties of Nature might have stood for the embodiment of the earthly Paradise; Hong Kong, the desolate rock that has grown into so huge a trade centre; the Straits Settlements, the gateway of the richest country for its size on earth; and Ceylon, still the premier Colony.

In Ceylon we come across the records of a civilization compared to which ours is a thing of yesterday. Nearly 2,500 years ago the aborigines (whose descendents are still to be found, represented by a few Veddahs) felt the first onset of the invader when the Sinhalese broke in upon them from the Valley of the Ganges, and founded a civilization and a dynasty which lasted, though decaying, for more than 20 centuries. The system of village communities which they brought with them is still an important factor in the social organization of the island; and the British administration has put out long, laborious and costly efforts to restore the vast irrigation works which they constructed. Two centuries later the Tamils followed and established themselves in the country. A king of Ceylon sent an embassy to Rome in the time of the elder Pliny. Through a thousand years there was a history of internal weakness and foreign invasion. In the 15th century Ceylon was, for a time, a vassal of China. For 500 years the island trade was almost wholly in the hands of Arabs, whose descendants—the “Moormen”—are still numerous. The Portuguese appeared early in the 16th century and established their authority in the low-lying

districts, though the Kandyan maintained their independence in the mountains. They were followed by the Dutch, a hundred years later, who became supreme over nearly all the island until they in turn were supplanted by the British, to whom they ceded all their possessions in Ceylon by the Treaty of Amiens in 1802.

The island was then, in the first instance, governed from India; but Indian administrative methods soon provoked a rising, and Crown Colony government was substituted. A worse rising and massacre led to the deposition of the last Kandyan king in 1815, and the whole island was annexed to the Crown. Further risings occurred at intervals until 1848, when the last was suppressed.

The exploitation of the island's varied resources under British administration is a story of dogged perseverance under difficulty and of a magnificent reward. The flourishing coffee plantations were smitten by disease in the seventies, and the failure of the Oriental Banking Corporation not long after seemed likely to complete the ruin. But the planters rose to the occasion, substituted tea for coffee, and by a combination of hard work at home and skilful advertising abroad brought the island to a greater height of prosperity than it had ever known. They have wisely not been content to rely on one success, but have added rubber, coconuts and rice to their staple industries and have placed the Colony in as assured a position as is humanly possible. Pearls, gems and minerals have contributed to its resources.

The efforts of the Colonial Office to co-operate have been chiefly in the direction of improving

communications. New railway schemes have been constantly under discussion, and have been sanctioned as financial considerations allowed. For 50 years work has been going on in the construction and improvement of Colombo Harbour, which is now in a position to take the largest liners in the Eastern trade. It is an example of the advantage to be derived from inter-Imperial co-operation that recently, when the local Government were anxious about the effects on the Harbour of the prospective deepening of the Suez Canal, the Secretary of State was able to refer the question for them to the Imperial Shipping Committee,* and to supply them with a reasoned report based on the best expert opinion obtainable.

The political constitution of Ceylon has been the subject of frequent and prolonged discussion between the local Government and successive Secretaries of State for the Colonies, and as the outcome two-thirds of the Legislative Council are now elective. Owing to the mixture of races—European, Sinhalese, Burgher (descendants of the Dutch), Eurasian, Tamil, Moorman, Malay, Indian—and of religions—Buddhist, Hindu, Christian, Mahomedan and others—it has been considered advisable to provide for the representation of special interests and communities; and to this end one-third of the elected members of Council represent European (Urban and Rural), Commercial, Burgher, Indian, Mahomedan and Tamil electorates, the remainder sitting for territorial constituencies.

* *cf.* p. 273. The report was published as a Parliamentary Paper, Cmd. 2250 of 1924.

In 1819 Sir Stamford Raffles, by arrangement with the Sultan of Johore, founded a British settlement on the little island of Singapore, which had remained practically derelict during the five centuries that had elapsed since its once important city had been sacked by the Javanese, and the islanders had fled to establish themselves in Malacca. He had been sent with discretionary powers and general instructions from the Viceroy of India to strengthen the British position in the Malay Archipelago; and having finally decided on Singapore, he declared it a free port. Malacca had already been taken from the Dutch (who, 150 years before, had driven out the Portuguese) but had just been returned to them; and when the long struggle between the two countries was terminated by the treaty of 1824, Malacca was finally ceded to Great Britain in exchange for British possessions in Sumatra. The island of Penang, and a strip of territory on the opposite mainland of the Malay Peninsula, had been purchased from the Sultan of Kedah by the East India Company, and the settlements were administered by India until 1867 when they were separated from it by Order-in-Council, under the authority of an Act of Parliament, and became a Crown Colony under the Colonial Office.

The Colony of the Straits Settlements now comprises the two islands of Singapore and Penang, Province Wellesley, Malacca and the Dindings on the mainland, and the distant islands of Labuan—off the coast of Borneo and 700 miles from Singapore—Christmas Island and the Cocos group. Malacca, once the most important of the settlements, gave

way to Penang soon after the British had occupied it, and both sank into unimportance before the phenomenal rise of Singapore which, partly from its strategic position on the Eastern trade route and Raffles' foresight in making it a free port, and partly as the outlet for the rich country behind it, has become one of the world's greatest trading centres. Ten submarine cables radiate outwards from it; fifty steamship lines touch at its port, where ten millions of tonnage enter yearly; the public revenue is nearly £4,000,000; and the total trade—imports and exports—approaches £150,000,000.

The position of Singapore strategically is as important as it is commercially. Its value to the navy has been recognised by the British Government who, with the warm approval of the Australasian Dominions, are now carrying out a scheme for the establishment of a great naval station there. It is to be hoped that the matter may not become the sport of party politics; but the project, initiated by one Government, has been stopped by their successors, and has now been revived by the present Administration.

Although the British had gained a foothold on the mainland in the early years of the 19th century there have been no further annexations, and British influence has extended in the Peninsula as the result of two causes—piracy and internal disorders. These became so detrimental to the trade of Penang that the Governor of the Straits Settlements was compelled to interfere in 1874, and he induced the Sultan of Perak to accept a British Resident to

assist him in the administration of his State. Similar arrangements soon followed, for the same reasons, with Selangor, Sungei Ujong, and the smaller states that later formed the native confederacy of Negri Sembilan. In 1885 a treaty with the Sultan of Johore placed his foreign relations under the control of Great Britain, and three years later a Resident was appointed to Pahang.

In the early days the Residents had no easy time, being expected to secure peace and good order without interfering in the details of administration, and they were warned from home that they were merely advisers and would be held responsible if they exceeded their instructions. The first Resident appointed to Perak was murdered soon afterwards, and a punitive expedition followed; but this was the only occasion on which force was required, and otherwise the British record in the Peninsula has been one of peaceful penetration. The country has one feature of special interest, for in no other part of the world has it been more conspicuously the work of British officials that has paved the way for, and rendered possible, a wonderful material development.

A great administrative step forward was taken in 1895 when the rulers of Perak, Selangor, Pahang and the Negri Sembilan agreed to constitute their countries a Federation to be administered under the advice of the British Government. A Resident-General* was appointed to control the Residents and to be the means of communication between the native governments and the Governor of the

* Since replaced by a "Chief Secretary to Government."

Straits Settlements in his capacity of High Commissioner for the Malay States. The rulers undertook to follow the Resident-General's advice on all matters not touching Islam, and to assist each other by making advances, if required, to their poorer members and by maintaining a force for the preservation of internal order as well as for the defence of the Peninsula if Britain should be at war. A further step was taken in 1909, when a Federal Council was instituted to deal with matters of common interest and to enact laws applicable to more than one State. The local Councils only legislate for each particular State, but the status of the rulers has not been impaired. The supreme authority is vested in the Sultan, or other ruler, in Council, and their territories are sovereign states for the purposes of British municipal law.

The smaller states in the north of the Peninsula had acknowledged, in varying degrees, the suzerainty of Siam; but in 1909 Siam transferred her rights over them to Great Britain, and Kedah, Perlis, Kelantan and Trengganu passed under British protection. They have each received a British Adviser and a few British officials, but are not members of the Federation.

To adapt a famous phrase, you cannot have an A1 administration on a C3 budget; and the ample revenues of the Federated Malay States have made it possible to cover the country with a first-class administrative service* which, in turn, has reacted on its prosperity. The revenue of the States for the current year is expected to exceed £9,000,000.

* *cf.* p. 58.

They have built over a thousand miles of railway out of their general revenues, and have made a loan to Siam, in connexion with which they have linked up to the Siamese line, so that there is now through traffic from Singapore to Bangkok, distant nearly 1,200 miles. They have made important contributions to the welfare of the Empire. The rulers made the voluntary gift of a first-class battleship—H.M.S. *Malaya*—which took its share of hard knocks in the war. A few years ago, when Mauritius was in difficulties with its sugar crop, the Federated Malay States, at the invitation of the Colonial Office, stepped in, financed the crop and, without resultant loss to themselves, enabled the Mauritius planters to secure fair prices for their produce. Tin and rubber form the mainstays of the States' prosperity, and recently, when the low price of rubber threatened the plantations with disaster, they were the subject of a novel experiment. A Colonial Office Committee devised a scheme for the compulsory restriction of output on a sliding scale determined by the market price of the commodity, which saved the plantations financially and, indeed, improved them by resting the trees. The price has now reached a point at which the restrictions have practically disappeared, and incidentally—though this was no part of the scheme—the exports of rubber and tin from Malay States have lightened the burden of the British taxpayer by keeping up the dollar exchange and so diminishing the amount of his sterling payments to the United States.

Chapter IX

EAST AFRICA

THE British connexion with East Africa—whether commercial or political—is of comparatively recent date; and indeed until the middle of the last century the whole of the interior was a sealed book to Europeans. From the beginning of the 16th century the Portuguese had controlled the principal points on the coast, but without penetrating inland; their tenure was always precarious, and as their influence declined that of the Arabs rose. Before 1700 an Imâm of Muscat had established his authority over Mombasa, and a successor transferred his headquarters to Zanzibar. Later a dispute over the succession was referred to the arbitrament of the Viceroy of India, and his award had the effect of severing political relations between Zanzibar and Muscat.

The Arabs left their mark on the interior to which they spread in growing numbers, though with a steadily increasing admixture of a non-Arab strain. Their main business in life was slave-raiding and the export of their captures across the Persian Gulf and beyond. Their activities attracted attention in England, and in 1820 the British Government made its first attempt to check the trade by a treaty with the Arab chiefs in the Gulf whereby these undertook to refrain from carrying off slaves from

the African coast ; while a treaty with the Imâm of Muscat in 1822 authorised British cruisers to seize slave dhows, and a British Agent was stationed at Zanzibar to watch proceedings. Further treaties followed, but neither they nor the efforts of the gunboats were effectual in suppressing the traffic. In 1868 the Government of India had to issue a warning to Indians against slave owning or slave trading.

Meanwhile British and other explorers were gradually penetrating the secrets of the interior. Livingstone's early work (from 1853 to 1859) resulted in the foundation of a Universities Mission to Central Africa, which, however, had a disastrous career and eventually transferred its headquarters to Zanzibar. Two Scottish Missions settled round Lake Nyasa, where by their practical teaching, and especially by their experimental gardens, they produced considerable results among the surrounding natives. They were followed in 1878 by the African Lakes Company, formed for a combination of commercial and philanthropic ends ; but the so-called Arab traders continued to devastate the country, threatening the missions and at one time laying siege to the Company's stations.

In 1887 an attempt by the Portuguese to close the navigation of the Zambesi to British shipping led to serious trouble with the Foreign Office. It was a period when international diplomacy was very active with regard to East Africa, and agreements dating from 1886 to 1894—with Germany, Portugal, Italy, France and the Congo State—were required before the British position was fully recognised and

the boundaries of its sphere defined. In 1891 a Protectorate was formally declared over "British Central Africa" (rechristened the "Nyasaland Protectorate" in 1907) which was administered by an "Imperial Commissioner" under the Foreign Office, the first Commissioner being Sir Harry Johnston. His administration was a continued struggle with the slave raiders, whom he stamped out after four years of vigorous effort.

The Sultan of Zanzibar claimed jurisdiction over a somewhat indeterminate strip of territory opposite the island, which was later recognised as extending ten miles inland. In 1872 he had offered to concede the whole of his mainland possessions to the British Government, but the proposal was not entertained. When Germany took, as her share in the partition of East Africa, a slice of some 365,000 square miles facing Zanzibar, she bought from the Sultan so much of the strip as lay within the territory now known as Tanganyika. What remained of it was leased in 1887 to the "British East Africa Association," founded by Sir William MacKinnon as a trading concern, which in the following year became the "Imperial British East Africa Company" with a Royal Charter giving it administrative rights within the British sphere. In 1890 the Government, accepting on this occasion an offer by the Sultan, proclaimed a Protectorate over Zanzibar which was recognised by France, who had treaty rights there, in exchange for British recognition of a French Protectorate over Madagascar.

The administration of the Chartered Company was confronted from the outset with various and

grave difficulties, mostly connected with the three kingdoms now known collectively as Uganda—Buganda, Bunyoro and Busoga. They were not free from fears of foreign aggression. There were quarrels between the Protestant and Roman Catholic Missions, which became identified with rival political movements. The Arabs intervened and expelled missionaries; and Mwanga, the king of Buganda, persecuted Christians generally. The Company concluded a treaty with Mwanga in 1890 by which their authority was recognised; but finding Uganda too great a drain on their resources, they proposed in the following year to withdraw from that country. Commercial and missionary interests alike were loud in protest, and in 1893 the Government sent Sir Gerald Portal as a Special Commissioner to examine the situation on the spot. His report condemned retirement as fatal to missionary work and the prelude to civil war; and he recommended that the British sphere should be controlled by Commissioners and that a railway should be constructed into the interior.

His views were accepted by the Government, who proclaimed a Protectorate over Buganda in 1894, which two years later was extended to Bunyoro and Busoga—thus forming the “Uganda Protectorate” whose boundaries have since been sensibly enlarged by treaties with tribes on its borders. In 1895 the Chartered Company surrendered all their rights to the British Government, and thereupon the whole territory in the British sphere, other than Nyasaland, Uganda and Zanzibar, was included in one administration, styled the “East Africa

Protectorate," with a Commissioner at its head. The Protectorates were placed under the control of the Foreign Office, who at once constituted a Committee for the construction of the railway recommended by Sir G. Portal. The Committee estimated the cost of the line at from £1,750,000 to £3,000,000 according to its quality and character, but by the time it was completed—from Mombasa on the coast to Kisumu on Lake Victoria Nyanza—it had cost the British Government $5\frac{1}{2}$ millions sterling. It has retained its original name of the Uganda Railway though it nowhere touches Uganda territory.

In 1884 a British Protectorate had been proclaimed over the coastal tribes of Somaliland at the mouth of the Arabian Gulf, which was administered by the Resident of Aden as a dependency of India. It was transferred to the control of the Foreign Office in 1898, and handed over by them to the Colonial Office in 1905. Its administration was as thankless a task as has ever been confided to that Department, for a "Mullah" at the head of a large force of fanatical dervishes had appeared in 1901 and kept the country in unrest by his incursions and periodical attacks on the friendly tribes under our protection. For 20 years the struggle went on, with more than one disaster to inadequate British forces. The difficulty of dealing with the Mullah was increased by the fact that Italian Somaliland lay at his back, into which he could retire whenever desirable; and it was not until 1920 that a combined attack by air, infantry and mounted forces completely and finally broke the dervish power.

In their administration of the East African Protectorates the Foreign Office were no more successful than had been the Chartered Company in avoiding trouble at the outset. An armed force had been recruited from the Sudanese of Emin Pasha's troops to resist native attacks; but before long they mutinied, and were joined by Mwanga and Kabarega, the king of Bunyoro. The mutiny was put down in the following year (1898); both kings were deported to keep company with the Ashanti king, Prempeh, in the Seychelles; and from that time Uganda has been peaceful. In 1905 the Foreign Office—who in the previous year had handed over Nyasaland to the Colonial Office—similarly transferred Uganda and the East Africa Protectorate; and by the later additions of Zanzibar (in 1913), mandated Tanganyika (1920) and Northern Rhodesia (1924) the administrative responsibilities of the Colonial Office in East Africa now extend through 20 degrees of latitude, in an unbroken line from the Sudan on the north to the Zambesi on the south, over an area—including the detached territory of Somaliland—of about a million square miles with a population of 13,000,000.

The administrative problems with which the Department, and the local Governments, have to grapple are, if stated in the most general terms, the same—political, economic, moral. The overriding principle of its administration was emphatically stated by the Secretary of State for the Colonies in 1923—in special relation to conditions in Kenya, but equally applicable everywhere. It is that the Government are trustees for the native races; that

the interests of the African natives must be paramount and must prevail if, and when, they should conflict with those of the immigrant races, though the interests of the other communities, whether European, Indian or Arab, must severally be safeguarded. The principle is indisputable, but the difficulty lies in its application. In the long run it should produce the best results for all; but it would not be honest to pretend that it does not involve a clash of immediate interests, and it is putting a severe strain on the individual to expect cheerful acquiescence in a policy which, however much it may benefit future generations, he feels to be hampering his own efforts.

In the political sphere—save for Kenya with its complications of European settlement and Indian unrest—the difficulties at present are almost non-existent. In Buganda the position of the Kabaka (king) and his Lukiko (or native Council) is recognised by treaty, and has some analogy to that of a West African Emirate. The Council receives a proportion of the native taxes, and shows aptitude for the administration of native affairs. The ability of the Kabaka's chief minister, who acted as a regent during his minority, was recognised by the bestowal on him of a K.C.M.G.—a high and unusual honour for a native to receive. In other parts the old tribal authority is inevitably decaying, but as it declines it is replaced by that of the Government as represented by the District Commissioner. The change is not stimulated by Government policy, and it comes about too gradually to cause sensible disturbance.

With a total European population, official and unofficial, of less than 1,500 of both sexes, the question of representative institutions has not arisen in Uganda and, so far as the unofficial element is represented in the central Government and in the Legislature, it is by persons nominated by the Crown.

The British East Africa Protectorate was annexed to the Crown and proclaimed a Colony in 1920, save for the mainland territory leased from the Sultan of Zanzibar, and became the Colony and Protectorate of Kenya. Among the natives there was no organization comparable with the Lukiko of Buganda, and the control of the Governor, through the Chief Native Commissioner, was direct. But with the arrival of a European population, a third of whom are concentrated at the capital, Nairobi, there quickly arose a vigorous demand for elective representation; and this was met by the Secretary of State (Lord Milner), when establishing the constitution of the new Colony, by providing for 11 elected European members in the Legislative Council, while retaining the official majority on it. The Indian agitation has already been mentioned.* Deputations and counter-deputations—European and Indian—laid their views before successive Secretaries of State, and eventually it was decided to provide for the representation of all races on the Council. The 11 European members were retained; the Indians were offered 5 elective members on a special Indian franchise; the Arabs were given one member (elected on an Arab franchise); and African native interests were recognized by adding

* pp. 89-96.

a nominated member from among the Christian missionaries to represent them.

On one matter—the aspirations of the Europeans for responsible self-government—the policy of the Government was very firmly stated by the Duke of Devonshire when Secretary of State in 1923. He regarded self-government as out of the question within any period of time that need then be taken into consideration, even though the control of native affairs were reserved to the Crown; and he considered that the system then set up was the best calculated to secure the unfettered exercise of the Government's trusteeship for the native races and the satisfaction of the legitimate aspirations of the other sections of the community.

The political aspects merge into the economic in connexion with land tenure and native rights, and the question is many-sided. In Buganda individual ownership was well known; one per cent of the inhabitants are freeholders, and alienation to non-natives is forbidden by the Lukiko. Elsewhere, it is to be doubted if any of the tribes, before contact with European civilization, had any conception of other than communal ownership, though ideas of security of tenure for the individual sprang up with the introduction of fixed crops, and have become more definite by observation of European practice. In the early days of British government considerable areas were alienated to Europeans, occasionally by injudiciously large grants, whereas no Government grants are now made save on leases varying from 999 years to comparatively short periods.

The question of native settlement on the land reeks with difficulties. What, for instance, is to be done with a purely pastoral tribe? It cannot be allowed to roam the country and interfere with the native cultivators; and it must either be forcibly broken up, or else be confined in a native reserve. The latter is the course adopted; and it is not difficult to understand the impatience with which, for instance, European settlers in Kenya—and those who look to the intensive development of the country—regard the reservation of 14,000 square miles of valuable land for the use of 30,000 Masai who cultivate none of it, but live solely for, and on, their cattle, which they do nothing to improve and rarely even sell. Even where native cultivators of the soil are in question, there is room for honest difference of opinion as to the ultimate effects on the population of segregating them in reserves; though the extreme view, that would condemn it as diminishing the available labour supply, would find but few advocates among the European population. A recent judgment of the High Court of Kenya that land reserved for native occupation is vested in the Crown, and that the occupiers are tenants at will, has inspired the natives and their missionary champions with anxiety (however ill-founded) as to their position, and they are looking for an authoritative definition of their rights in the soil.

Allusion is so often made to the “teeming millions of Africa” that it comes as a surprise to find that the density of population varies from little more than 30 to the square mile in Uganda to 11 in Kenya. In other words, the native population

is small in proportion to area, and it is decreasing rather than increasing. It is not surprising if the European settlers should take a somewhat serious view of the situation. It is clear that their very existence depends on an adequate supply of native labour in a country where European labour is out of the question. In the best populated country—Uganda—the natives have been induced by the efforts of the British Cotton-growing Association to take up the cultivation of cotton. At the outset, the Association's work was assisted by a certain amount of Government influence; but this soon became unnecessary, and the danger now is that the cotton cultivator—disinclined, like all Africans, for continuous effort—may be too well content with the profits from a comparatively short exertion to do the best of which he is capable. He is even coming into the labour market as a competitor with the Europeans, who find their supplies further curtailed by Government requirements for public works, by the extension of native agriculture, and by the growing opportunities for non-agricultural pursuits opened up to the natives as the development of the country progresses.

The only remedy that the Governments can apply is to be found in the better conservation and utilization of the labour supply, on the one hand by a campaign against disease and the heavy infant mortality and, on the other, by improvement of communications and the substitution of mechanical for human transport. The former will take years of patient effort, for it needs, in addition to purely scientific and medical work, a profound change in

native customs and morals; the latter may even have attendant disadvantages by absorbing still more of the labour supply, opening up new areas for native cultivation, and facilitating the spread of disease carriers.

The problem of disease, human and animal, in East Africa, is of the gravest and most pressing importance. The tsetse fly has laid vast areas desolate, and its range is increasing everywhere despite local efforts to check it. Twenty years ago the ravages of sleeping sickness caused the deaths of 300,000 natives around Lake Victoria, and the Government resorted to the desperate remedy of removing the whole of the surviving population to a healthier site. The list of human diseases is terribly long, and the medical services are utterly inadequate in numbers to combat them effectively.

The crux of the whole situation is finance. Since the British Government assumed responsibilities in East Africa, the Treasury has assisted that country on a larger scale than it has ever done elsewhere. It has spent $5\frac{1}{2}$ millions in providing a railway; it has given about 6 millions in grants-in-aid, and made loans of upwards of $1\frac{1}{4}$ millions. Kenya on becoming a Colony has raised a loan of 5 millions. But large as these sums appear in the aggregate, they are but a fraction of what is required if development is to proceed, and if the Colonial Office, as trustee for the native population, is to discharge its responsibilities with satisfaction to itself. An indispensable preliminary to progress in any territory is to free it from Treasury control; and East Africa is only kept solvent, under present conditions, by

the exercise of a severe economy which involves the starving of necessary services.

The late Secretary of State, Mr. J. H. Thomas, made an interesting departure from previous practice by sending out a Commission, composed of members of the three political parties in this country, to investigate conditions in East Africa; and the Commissioners made a no less interesting innovation by labeling themselves, in the forefront of their report,* with their respective party badges. They accumulated a mass of information during the three months that they spent in the country, and showed throughout their report a well-balanced judgment and a striking capacity for appreciating the many sides to all the questions that they examined as well as the difficulties by which the local Governments are surrounded.

As the result of their enquiries the Commissioners have recommended the passing of an Imperial "East African Transport Loan Guarantee" Act under which the British Government would issue a loan of £10,000,000, with its guarantee for both interest and principal. The money so raised would be advanced, at the discretion of the Secretary of State for the Colonies, for railway extension, harbour developments, main roads and mechanical transport. For the first five years the interest would be paid from the Imperial Exchequer; at the end of that time the charges for interest and sinking fund would fall on the transport services or, so far as these might be insufficient, on the East African revenues. At the end of ten years a beginning would be made,

* Cmd. 2387, 1925.

from the same sources, to repay the interest advanced by the Imperial Government during the first 5 years. In the opinion of the Commissioners their plan can be justified as a business proposition which will redound not merely to the credit, but also to the economic advantage of Great Britain.

The proposal has been accepted in principle by the Government, and apparently has not aroused opposition in any quarter. Granting the soundness of the scheme, and its unquestionable advantages to East Africa, it may be doubted whether the Commissioners were not over-sanguine in believing that the results of their bold policy will be sufficient in five years' time to meet the additional burden of over £500,000 per annum for interest and sinking fund; and it may be suggested that, in the long run, it would have been an equally sound business proposition to earmark part of the loan for an intensive campaign against disease. The construction of certain communications might be thereby delayed; but, at the worst, development, if retarded, can be resumed when feasible without losing ground. Disease, however, refuses to wait on official convenience, and every year that goes by is further sapping the vitality of the races on whom the very existence of a British East Africa depends.

For the preservation of order in West and East Africa, the Colonial Office possesses its own microscopic War Office and its miniature armies, and as their organization is similar it will be convenient to deal with both in this place.

In 1897, at a time when our relations with France

were very dangerously strained, Captain (now Sir Frederick) Lugard was commissioned to raise a local force for the protection of our threatened interests there. The force was christened "The West African Frontier Force," and was soon expanded by absorbing into it the small and strictly local defence forces then existing in the West African Colonies and Protectorates. Under its present constitution the force comprises a Nigeria Regiment, a Gold Coast Regiment, a Sierra Leone Battalion and a Gambia Company. Each of these units is primarily intended for the preservation of order within the borders of the Administration to which it is assigned and which defrays its cost; but any or all can be combined for service outside, as occasion may require.

The Force in peace time is entirely independent of War Office administration or control. Its officers are seconded from the British Army for the purpose, and are recommended by the War Office but appointed by the Secretary of State for the Colonies. The headquarters staff is located in the Colonial Office and consists of an Inspector-General, assisted by a staff officer, who is the military adviser of the Secretary of State, and of the local Governments, on all matters connected with the force. It is his duty to see that a proper standard of organization and training is maintained; and for this purpose he pays an annual visit to West Africa, and inspects the different units.

The British officers have always been very carefully chosen, and their zealous efforts have brought their troops to a high degree of efficiency and

discipline, at extremely moderate cost as measured by military standards. The West African Frontier Force had hardly been formed when strong contingents were taken away, in 1900 and again in 1901, for service in the Ashanti war. After the return of these, the Force fought some desperate battles against very heavy odds before the power of the Emirs was broken and slave-raiding finally suppressed; and thereafter their utility was repeatedly shown during the necessary work of bringing peace and order among the wholly uncivilized and turbulent pagan tribes of Nigeria.

The war was to bring a further demonstration of the value of this force. For years past, no British soldier had been stationed anywhere throughout the length and breadth of the country; and it is no small testimony to the policy pursued by the Colonial Office, the devoted work of the colonial officials, and the loyalty of these native troops, that at no time during the war did the situation in West Africa give cause for a moment's anxiety to the British Government.

The Force was mobilised immediately on the declaration of war. Within three weeks the Gold Coast Regiment had made a daring and hazardous dash into Togoland, had destroyed the great wireless station there and, with aid from a French contingent, had forced the surrender of the German troops. With the Nigeria Regiment it took part in the struggle in the Cameroons, which lasted from 1914 to 1916, and on more than one occasion the native troops conducted themselves in a manner that would have been creditable to any British

regiment. On the successful conclusion of that campaign, the Gold Coast Regiment straightway sailed for East Africa, where it took its full share in the protracted and arduous operations against Von Lettow, returning to its home in the latter half of 1918. It was the first West African Regiment to serve in East Africa, and was the last unit of the West African Frontier Force to be withdrawn. Its services had been so valuable that the War Office asked for the formation of a Gold Coast Brigade for service with the Egyptian Expeditionary Force, but the Armistice with Turkey was concluded before its organization was completed.

The record of the Nigerian Regiment is equally good. After the reduction of the Cameroons, a contingent of 3,000 native ranks went to East Africa, subsequently reinforced by another 3,000, and took part in the severest fighting there. They suffered heavy losses, but their gallantry was recognized by over 80 decorations awarded to the native ranks. On the return of the Regiment in 1918 it was organized as a Brigade for service in Palestine, but hostilities ceased before it could proceed.

The King has shown his appreciation of the Force by sanctioning the presentation of Colours to each of its Regiments, and has recently still further honoured it by consenting to become its Colonel-in-Chief.

The organization of the King's African Rifles is similar to that of the W.A.F.F., except that its units are Battalions, and its efficiency is equally great. The Force has its own Inspector-General, with a

staff officer, in the Colonial Office. It grew out of levies raised in Nyasaland, over 30 years ago, for the suppression of the slave trade ; and it was known first as the British Central Africa Rifles, then as the Central Africa Regiment, and from 1901 as the King's African Rifles. Battalions are normally stationed in Nyasaland, Kenya, Uganda and Tanganyika, and the Somaliland Camel Corps has recently become a unit of the K.A.R. Since its inception, the Force has seen service in Mauritius, Ashanti, Gambia, the Gold Coast and Somaliland, in addition to serving throughout the East African campaign during the Great War ; and not alone a very heavy record of casualties, but also a long list of Distinguished Service and other military Medals, bear testimony to their gallant behaviour therein. It is significant that the Tanganyika Battalion is mainly composed of natives of that mandated territory, whose loyalty to the new régime is beyond suspicion.

As in the case of the W.A.F.F., the King has honoured the K.A.R. by consenting to become the Colonel-in-Chief, as well as by granting Colours to each Battalion. These were presented by the Governors with impressive ceremonial, an interesting feature of which, in two cases, was the presence of many hundreds of Sudanese and other veterans who came to take part in the march past, and whose decorations recalled practically every expedition in which the Force had been engaged since its formation.

Chapter X

WEST AFRICA

THE story of British expansion in West Africa is one of the most fascinating chapters in Colonial history. Fifty years ago the general impression of the British settlements there was that of a fever-stricken fringe of coast, a congeries of barbarous and unpronounceable names, and obscure and squalid native politics. The administrative cards were periodically shuffled, reshuffled and shuffled again; the settlements were combined, separated and recombined. In 1875 their total area was about 6,000 square miles—nearly all within the Gold Coast; it is now well over 400,000 square miles. Their population was about 500,000; it is now about 22,000,000. Their combined revenues were somewhat over £200,000; they now exceed £11,000,000. Their total trade (exports and imports) barely reached £2,500,000; it now exceeds £46,000,000, of which £30,000,000 represents trade with the United Kingdom. The Colonial Office then considered a staff of four clerks adequate to deal with the whole of its interests in South and West Africa, with such odds and ends as St. Helena, Malta, Gibraltar, Heligoland and the Falkland Islands thrown in; a staff of nine now deals with these *minus* the whole of South Africa, the Falklands, and Heligoland (which was ceded to Germany in

1890), but *plus* Cyprus and the mandated portions of the Cameroons and Togoland.

The British Government were slow to recognize the possibilities latent in West Africa. They made from time to time spasmodic efforts, but it is hardly too much to say that there was nearly always an undercurrent of hostility towards the irresponsible people who sought to force their hand; and it was not until Mr. Joseph Chamberlain appeared on the scene in 1895 that anything like systematic encouragement of enterprise in that quarter was manifest.

In 1588 a Patent had been granted by Queen Elizabeth to certain merchants of London and Exeter to trade in the Gambia River, as part of the effort to break the trading monopoly of the Portuguese who, from the 15th century, had traded with the Coast, and had obtained from the Pope, by Papal Bull, the monopoly of trade in West Africa. The venture was not successful, and the most effective challenge to the Portuguese came from the Dutch, who practically drove them out in the first half of the 17th century.

After abortive efforts by several Companies to conduct a successful trade with West Africa, a Charter was granted in 1663 to "The Company of Royal Adventurers into Africa," but the Company was soon crushed by the Dutch, who declared war; and in 1672 it was succeeded by the "Royal African Company of England," a charter being granted to the Duke of York and others. This Company also soon got into difficulties, owing to the competition

of the Dutch and the action of private traders; and after struggling on till 1750 its charter was recalled. In 1752 the "African Company of Merchants" was constituted by Act of Parliament to trade and form establishments on the West Coast; but this in turn was dissolved by another Act in 1821, and its "forts" were transferred to the Crown, the Administration being entrusted to a "Governor-in-Chief of the West African Settlements." Six years later the British Government contemplated retiring from the Coast altogether, but compromised by retaining Sierra Leone and handing over the Gold Coast to a Committee of Merchants.

Before many years an outcry arose that these merchant Governors were conniving at the slave trade; and in consequence the Gold Coast was in 1843 again placed under the Governor of Sierra Leone. Until 1850 Sierra Leone had been the headquarters of British administration, but in that year the Gold Coast ceased to be a dependency of that Colony and was erected into a separate government. In 1865 the home Government was again coquetting with the idea of abandoning the Gold Coast, and a Special Commissioner was sent out to examine the question on the spot; but in the following year it was reunited to Sierra Leone together with Lagos, which had been made a Colony a few years before as the result of efforts to suppress the slave traffic there.

In 1868 the British Government came to an agreement with the Dutch (who had always had a number of forts interspersed among the British

settlements) for a partition of the Coast, and surrendered to them part of the British Protectorate; but the Dutch found their new possessions a troublesome acquisition, and in 1872 abandoned to Great Britain the whole of their rights on the Coast, whereupon the "Government of the West African Settlements" was constituted. The next year saw an invasion of the Protectorates by the Ashantis, and as a consequence of the Ashanti War of 1873 the Gold Coast and Lagos were taken out of the West African Settlements, and became the Gold Coast Colony. Lagos was separated from it in 1886, and the West African Settlements—now reduced to Sierra Leone and Gambia—finally disappeared in 1888, each becoming a separate Colony.

The discovery of America had tragic consequences for West Africa. All the nations that colonized on the mainland or in the islands required slave labour for the purpose, and energies that might have been employed in commerce were diverted to the horrible, but more lucrative, business of the slave trade. It is said that in 20 years the Royal African Company alone exported 300,000 slaves—and they had very many competitors. The famous decision of Lord Mansfield, C.J., in 1772, that a slave whose foot touches English soil thereby becomes a free man, had, as one result, a curious instance of philanthropic effort. There were at the time several thousands of negroes in England, many of them brought over by their masters, and others free men, who soon fell into a state of destitution. A

charitable Society was formed for their relief, and the project of establishing them as a free settlement in Sierra Leone was warmly supported by the Government and by sundry philanthropists. Some 350 negroes were collected and embarked in transports, convoyed by a man-of-war; they were accompanied by about 60 white women of known immoral character who had been taken off the streets, made drunk and put on board, being there allotted to certain negroes as their wives. The ultimate fate of the women is unknown, but within a year of their landing nearly two-thirds of the negroes were dead.* Later on, much use was made of Sierra Leone for the settlement of liberated slaves, but the results were not always such as had been anticipated; and sickness, rebellion and bloodshed figure in the story.

The vast interior had long remained unknown. Mungo Park had discovered the Niger in the closing years of the 18th century; but how it flowed, or whither it went, was a mystery which he and many other explorers, who attacked the problem from the north, east and west, lost their lives in vain attempts to solve. Not until 1830, when Lander, floating down the river, eventually reached the West Coast,

* *cf.* "The Official Handbook of Sierra Leone, 1925," by T. N. Goddard, M.B.E., Assistant Colonial Secretary of the Colony—a book very well written and profusely illustrated, which contains much of interest even to the general reader. It may be added that until 1898 the House of Commons Estimates contained a vote (administered by the Treasury and annually decreasing) for "Slave Trade Services," which included a small amount for the maintenance of liberated Africans on the West Coast.

was it realized that the "Oil Rivers," where Europeans had traded for the last two centuries, were nothing but the huge delta of the Niger.

Previous to this discovery the British Government had sent an expedition from Tripoli to explore the country to the west of Lake Tchad, and 30 years later they sent a second expedition by the same route. The reports which were brought back revealed the existence of Mahommedan States in the interior, possessed of a considerable degree of civilisation, and set in the midst of pagan tribes. The expedition also brought letters from two of the principal rulers, expressing a desire to open up trade and to have British consuls in their dominions.

The approach from the north, across the desert, had no attractions as a trade route, but the discovery of the Niger's course and that of its great tributary, the Benue, opened up a vision of practicable highways into the interior. Private enterprise soon attempted to make use of this route, but the first attempts were attended with heavy mortality; and though a few trading stations were established on the lower river, and a consular officer was stationed at the junction of the Niger and the Benue, the hostility of the natives and the death of the principal promoter of the enterprise led to the abandonment of the stations.

As far as the British Government was concerned, the hot fit had now been succeeded by the cold. In 1865 a Select Committee appointed by the House of Commons (on which the Secretary of State for the Colonies served) "to consider the state of the British Establishments on the Western

Coast of Africa," unanimously reported to the House: "That all further extension of territory, or assumption of Government, or new treaties offering any protection to native tribes, would be inexpedient, and that the object of our policy should be to encourage in the natives the exercise of those qualities which may render it possible for us more and more to transfer to them the administration of all the Governments, with a view to our ultimate withdrawal from all except probably Sierra Leone"; and "that this policy of non-extension admits of no exception as regards new settlements."

In pursuance of this policy, the consular officer was shortly afterwards withdrawn from the Niger, and for the next 15 years the British Government washed its hands of the interior. Enterprising individuals might, and did, establish themselves on the lower river, trading with the natives, with the usual result—inevitable in the absence of any settled administration—of disputes, native attacks, and retaliation; but the Government cared for none of these things. It is owing, not to any Government, but to the far-seeing vision and the administrative and commercial genius of one man that a thriving territory, larger than the United Kingdom and France combined, is to-day part of the British Empire, and not under a foreign flag.

In 1877 Sir G. Taubman Goldie—to give him the name by which he was afterwards known—conceived the idea of forming a Chartered Company which should open up the country to trade, secure law and order, and put a stop to the devastating effects of slave-raiding and intertribal warfare. As a first step

he succeeded in amalgamating the various trading interests into the "United Africa Company," and applied for a charter, which the Government refused. To meet their objection—ostensibly based on the smallness of the Company's capital—he reformed it as the "National African Company"; but even so his negotiations lasted for five years before he finally obtained his charter—and then only as the result of international complications which had changed the outlook at home and, in a measure, forced the hand of the Government.

The commercial success of Goldie's company was immediate, and soon attracted the attention of French merchants who established themselves at more than one point on the Niger, with the encouragement of their own Government. Goldie saw that it was imperative to take action if British influence and trade were to be maintained. He approached the French interests concerned, and with a magnificent disregard of cost induced them, in 1884, to withdraw from competition. He was in time—and only just in time—to save the British position.

In that year Germany had inaugurated its Colonial policy in Africa by declaring a Protectorate over the Cameroons and Togoland, on the West Coast. The "Scramble for Africa" had begun, and before the end of the year a conference was sitting in Berlin to adjust the claims of rival Powers. Thanks to Goldie it was possible to declare that the whole trade of the Middle and Lower Niger was in British hands, and that the British flag alone flew there. Consequently, when the conference declared the

navigation of the Niger to be free to all nations, it was left to Great Britain to make the necessary regulations. Thereupon the British Government declared a formal Protectorate over the Niger delta—the “Oil Rivers Protectorate.”

But though the House of Commons’ resolution of 1865 was thus laid in its grave—after 20 years of dishonoured existence—the Government had no mind to undertake the expensive responsibilities of administering the districts of the Middle Niger. Confronted with the alternatives of upholding British interests there, or of abandoning them altogether in the face of foreign competition, they chose the middle course—that of “Empire-making on the cheap”—and Goldie got his charter after five years’ effort. The Royal Niger Company was empowered to govern and protect the territories of the chiefs with whom it had concluded treaties and, subject to the sanction of the Foreign Secretary, to conclude other similar treaties. Subject to the same sanction, it had authority to levy Customs duties for administrative purposes only. It had jurisdiction over all British and foreign subjects within its territories. It was required gradually to abolish slavery, to tolerate the religion of the inhabitants, and to treat them with justice. No monopoly of trade was allowed.

So far so good, as regarded the Niger belt. But first in importance, to those who looked ahead, were the great Hausa (Mahommedan) States of the interior; and here the Company had to contend with the political rivalry, first of the Germans and later of the French. Even before obtaining its

charter, the Company had become aware of the contemplated despatch of a political German agent from the Cameroons; and it promptly anticipated him by sending its own envoy, who obtained from the Sultan of Sokoto—the leading State among them, whose head was the more or less recognised overlord of the others—a treaty whereby the Company received political and commercial privileges throughout his dominions. Difficulties with Germany continued until 1893, when the boundaries between the Cameroons and the Niger territories were settled by agreements between the two Governments.

Once the Charter had been granted, the Company set about its administrative work with vigour and promptitude. Political officers were appointed; courts of justice were established; a constabulary force was enrolled. In two years over 200 treaties were concluded with riverside tribes, whereby the Company acquired territorial rights outside the dominions of Sokoto. It conducted its work to the accompaniment of perpetual attacks, both in Parliament and in the Press. The allegations were the subject of enquiry on the spot, first by a German Commissioner and afterwards by a British Commissioner, both of whose reports exonerated the Company; and the Government were compelled officially to associate themselves with the exoneration.

No sooner had questions between Great Britain and Germany been settled than serious difficulties with the French arose. In 1893 France had proclaimed a Protectorate over Dahomey, which bordered the Niger Company's territories on the west; and

from this quarter numerous French emissaries penetrated into regions previously recognized as within the British "sphere of influence," with the object of concluding treaties with the natives which would give France a political footing there and on the navigable Niger. The tension was at one time so great—the rival flags of the two Powers confronting each other in adjoining villages—that at any moment some unfortunate incident might have brought on war in Europe. A few years earlier the British Government would, beyond all reasonable doubt, have backed down and left the Company to its fate; but public opinion had been hardening in this and other directions—and Mr. Joseph Chamberlain had taken over the Colonial Office. Fortunately both Governments recognised the dangers of the situation; the Company made some territorial concessions; and the Agreement of 1898, laying down the Anglo-French boundaries, put an end to the trouble in that quarter.

But even before foreign difficulties had been settled, serious internal danger had arisen. The Emir of Nupe—a riverain Mahommedan State under the suzerainty of Sokoto—though he had begun by establishing amicable relations with the Company, paralysed their efforts by his constant slave-raiding expeditions, and treated all remonstrances with insolent defiance. His armed force—estimated at 30,000 men—rendered him formidable; but action had to be taken, and early in 1897 Sir G. Goldie marched against him in person at the head of a few hundred constabulary, fought a victorious engagement at odds of twenty to one, deposed the

Emir, and proclaimed the legal status of slavery to be abolished throughout the State.

From the first he had held in mind that when the Chartered Company had done its pioneer work, and had laid the foundations of peaceful commerce, it would be for the British Government to take over the administrative part of the Company's duties ; and by 1899 the events of the last few years had convinced the Government that the time had arrived for doing so. In view of the foreign position they had already raised the West African Frontier Force* as a force independent of the Company, and they now opened negotiations for the revocation of the Charter. Terms were agreed, and on the 1st January, 1900, the "Oil Rivers Protectorate," hitherto administered by the Foreign Office, was transferred to the Colonial office ; to it was attached the southern portion of the Company's territories ; and the two became the Protectorate of Southern Nigeria. The remainder of the Company's territory became the Protectorate of Northern Nigeria with a separate administration under a High Commissioner, and the Company reverted to its original position as a trading concern. It deserves to be kept in honourable remembrance for the part that it had played in Empire development. Successful in its commercial operations, under the guidance of Lord Aberdare and Sir George Goldie, it had maintained a high standard of administration, and had done much for the welfare of the inhabitants over a wide area by substituting law and order for the conditions in which they had lived. Until the

* *cf.* p. 124.

Company appeared on the scene "perpetual slave raids and internecine wars, with their concomitant miseries, were the established order of things: the strong preyed upon the weak; whole towns were blotted out in intertribal warfare, the inhabitants being either killed or carried off into slavery, and it was one of the commonest sights in African travel to come across the crumbling walls of some deserted town which only a few years before had been the home of a thriving community."*

As High Commissioner for Northern Nigeria, the Secretary of State chose Sir Frederick Lugard, who had already done good service for the Company, as well as for the Imperial Government, in raising the West Africa Frontier Force. With exiguous financial resources, insufficient armed force at his back, and a mere handful of assistants, the problems before him—all calling for early and simultaneous solution—would have daunted anyone of less resolution, insight and powers of work. The northern States were raiding the pagans almost as freely as ever in spite of the lesson inflicted on them by the Company, and to put this down necessitated breaking the power of the rulers whose hostility to the new régime was openly declared. Even the pagan tribes, though the objects of the raids, were by no means opposed to slavery when they were not the immediate sufferers, and made use of it for their own purposes. Their hand was against every man; intertribal warfare was incessant; cannibalism,

* From "The Making of Northern Nigeria," by Captain C. W. J. Orr, C.M.G.

witchcraft and inhuman practices were rife. No native trader was safe from the organized attacks of robber bands, and save along a few recognized trade routes trade was perforce non-existent. No European had established a trading post beyond 50 miles from the Niger and the Benue. Apart from all other considerations it was necessary to protect the Benue, as an international highway used by the Germans; and foreign complications were not improbable, for more than once French and German forces had penetrated far within the British sphere in pursuit of insubordinate natives—or otherwise. In nine-tenths of the High Commissioner's territory there was as yet no trace of organized British control.

In a few years the whole face of the country was changed. Intractable rulers had been deposed and replaced by others ready to co-operate with the Government. British residents had been established in 16 Provinces; an elaborate system of taxation, based on a minute examination of conditions in every town and village, had been created; Courts of Justice, British and native, had been set up; slave raiding was dead; and more than one dangerous fanatical outbreak had been suppressed—not always without disaster to a British force. Traders were everywhere penetrating the country and opening communications with pagans till then ignorant even of barter; the isolation of the Residents was mitigated, and the security of the Administration enhanced, by the free construction of telegraphs; a site for headquarters had been found, and connected by a short railway line with a navigable river.

That so much was accomplished in so short a

time was due to the policy, followed from the outset, of building up rather than pulling down; of utilising in the Mahommedan States the administrative qualities discernible in the dominant race; and of employing patient diplomacy and tact, rather than resort to arms, in dealing with the natives everywhere. If an Emir was deposed, his people were invited to name his successor. Native courts administered justice between natives, under the watchful eye of the Resident, according to Koranic law or native custom. The system of native taxation was based on native usage, but purged of its defective or oppressive features. The Emirs at first received a fixed proportion of the taxes collected, but later they were placed in the position of salaried officers, and under them native administrations were established, with revenues assigned to each. To assist his Residents in working out his policy on uniform lines, the High Commissioner himself drew up a series of valuable political memoranda for their guidance.

After six years of strenuous work Sir Frederick Lugard laid down his office, to resume it six years later in different circumstances and with a wider scope.

It is impossible to speak too highly of the devoted assistance which he had received from his subordinates. More than one Resident laid down his life, murdered in the execution of his duties. The work which a Resident had to do in the early days is almost incredible. He was expected to familiarise himself by personal inspection with conditions in

every part of his Province. He had to see that native officials of every degree carried out their duties justly and without oppression, and his office was always open for the hearing and investigation of complaints. He was required to be chief police officer and head gaoler; transport officer, supply officer, civil engineer, surveyor, and forestry officer; revenue collector and postmaster, accountant and statistician. In all "political" matters he was in direct touch with the High Commissioner, to whom he had to render constant reports on the administrative position in his Province.

Sir Frederick Lugard had foreseen the necessity for railway communication with the interior to supersede the costly and inadequate system of human portage. For immediate purposes he contemplated utilising the Niger, so far as possible, and beginning railway construction from a point on the navigable waterway. He had already obtained a survey, but lack of funds was an insuperable difficulty at the time, and the execution of the policy was perforce left to his successor. Apart from its general utility to the Administration and to commerce, there were special reasons for regarding railway construction as of urgent importance. Patient investigation had held out hopes that Northern Nigeria might largely contribute to the supply of raw material for the looms of Lancashire, and for this cheap transport to the coast was essential. Tin had been discovered years previously in the far interior, but it was not possible to bring up suitable machinery for its exploitation, or to export the ore, while transport was limited to head portage.

A Protectorate is unable to raise loans in the open market, but a Colony, however small, can do so. By utilising the credit of the Colony in Southern Nigeria,* the Secretary of State was able in 1907 to sanction the construction of a railway from Baro on the Niger to Kano, 300 miles away. This was completed in four years, and supplemented by another 100 miles of light line to the tin fields.

At a very early stage the Administration and the Secretary of State for the Colonies had recognized the importance of arriving at definite ideas as to land tenure. The Secretary of State appointed a Committee to examine the question, whose enquiries established the fact that according to native law and custom no private ownership in land could exist, and that all land was the property of the people. Their conclusions were accepted by the Secretary of State, and embodied in a "Native Rights Proclamation." The land is held by the Governor in trust for the people, and alienation to non-natives without his permission is forbidden. No freehold grants are made, but land is leased by the Government with conditions as to improvement and periodical revisions of rent.

Meanwhile Southern Nigeria had been developing along somewhat different lines as regards native policy. Here (with a few exceptions) there were no organized States as a foundation on which to build, but a large number of tribes under petty chiefs

* In 1906 the Colony of Lagos had been amalgamated with Southern Nigeria, and the two had become "the Colony and Protectorate of Southern Nigeria."

with, here and there, a paramount chief whose suzerainty they admitted. The standard of intelligence among the native chiefs was much lower, and direct and detailed administration by Government agents was unavoidable, though the chiefs were, as far as possible, used in the native courts for such judicial matters as could be settled in accordance with native law and custom. The land was not under the control of the Government to the same extent as in the north; but outside the old Colony of Lagos, with few exceptions, the only title now recognized by Government in the case of non-natives is a leasehold title.

With the rapidly growing developments of both Protectorates, the Secretary of State decided in 1912 that the time had arrived for combining them under one administration, and he invited Sir Frederick Lugard, then Governor of Hong Kong, to undertake the task. As a preliminary step the latter was appointed Governor of each Protectorate, and in 1914 he was made Governor of the whole, with the personal title of Governor-General. The territory was not formally annexed; the old Colony of Lagos remained, and it, with the two Protectorates, formed "the Colony and Protectorate of Nigeria," two Lieutenant-Governors being appointed for the Northern and Southern Provinces respectively. The Legislative Council then set up has recently been enlarged, and made more representative. It is now composed of 27 official, and not more than 19 unofficial members. Of the latter, 4 are elected to represent the municipal areas under a common British and native franchise; others are nominees

of Chambers of Commerce, etc., and represent commercial, shipping, banking and mining interests, while six native members are nominated to represent African interests in the Colony and the Southern Provinces. The jurisdiction of the Council extends only to the Colony and the Southern Provinces, the Governor alone legislating for the Northern Provinces.

Commercially and financially the progress of Nigeria has been rapid and continuous, save for the set-back after the boom of 1920. In 1923 it had a revenue of £6,000,000 and a total trade of £21,000,000, of which £15,000,000 represented trade with the United Kingdom. Harbours have been constructed or improved, and railway development has been pushed on until there are now nearly 1,200 miles open for traffic. A "boat express" connects with the outward and homeward mail steamers, and runs for 600 miles into the interior. The pay rolls of the railway department record the fact that among the drivers employed by it was H.R.H. the Prince of Wales, who earned and duly received the sum of tenpence for driving the royal train on his recent visit to Kano.

As the result of some excellent survey work by officers of the Administration, coal was discovered in Nigeria some 15 years ago. The importance of the discovery was obvious in a country where, save for imported coal, wood was the only fuel available, and a railway was built and a harbour (named Port Harcourt after the Secretary of State of the time) constructed for its exploitation. The coalfield has now been worked by the Colonial Government

for ten years, and the output is only limited by the demand, which will steadily increase as railway communications extend. Meanwhile, Port Harcourt has already attained a position second only to that of Lagos as a commercial seaport.

On no part of its work can the Colonial Office look back with greater satisfaction than on the carrying out of its policy in the last 25 years with respect to West Africa, and to Nigeria in particular. It would not claim credit for the initiation of most of the measures adopted, but it is entitled to claim that it has supported them, and on occasions vigorously defended them, with results that have dwarfed expectation. It would be hypocrisy to pretend that we went to West Africa, or remain there, otherwise than in the interests of our commerce; but being there, it is eminently satisfactory to feel that we have done so much to advance the development of the native races on sound and acceptable lines. It would be easy enough, with modern resources, to hold the country down; and it would not be difficult to obliterate all traces of native civilization, and to impose on the inhabitants a parody of Western modes of life and habits of thought. But if our ideal is to promote the evolution of the highest civilization of which the native mind may be capable, it is only to be done—as it is being done—by a system of indirect rule. We can remove obstacles from their path; we can by suggestion and example widen their outlook; but we must be exceedingly careful not to force the pace beyond their capacity to follow.

The Chartered Company, finding a Mahommedan creed of total abstention already in the field in Northern Nigeria, prohibited from the beginning of their rule the introduction of spirituous liquors, and the prohibition was rigorously enforced under the Colonial Office. In Southern Nigeria the principal instrument of trade was liquor, to which the natives had been accustomed before the Colonial Office appeared on the scene. It was a German industry, and as such was interrupted by the war. Viscount Long, as Secretary of State, felt that the opportunity of making the interruption permanent should not be lost, and in 1919 the future importation of "trade spirits" was forbidden. The prohibition entailed serious loss of revenue, but Nigeria has survived the loss and—though the deleterious effect of the spirit has been grossly exaggerated by the more ardent advocates of prohibition—the country should stand to gain in the long run.

Education, in the formal sense, presented serious difficulties. We had bound ourselves to respect the religion of the inhabitants, and in the Mahommedan mind education is inextricably intertwined with religion. An offer to provide schools under Christian supervision, in which no proselytising would be attempted during school hours was—rightly, from their viewpoint—rejected by the native chiefs from fear of the influence likely to be brought to bear on their children out of school. Nevertheless, considerable advance has been made. In the Northern Provinces there are now 38 Government schools in which elementary and primary education is given—first in the vernacular and then in Hausa ;

in the highest standard the study of English is begun. In addition there are more than 100 non-assisted schools, and over 32,000 Mahommedan schools. The most promising line of advance—here as elsewhere—is by means of technical schools, of which natives everywhere are quick to discern the advantages.

It has already been mentioned that in pursuance of the policy of "indirect rule," and thereby utilising, training and developing native intelligence, native Administrations were set up in various parts of Northern Nigeria. The experiment has been marvellously successful, and wherever possible it has been tried in the South and has been extended to the mandated portion of the Cameroons. In the North there are 61 of these Administrations at the present time; in the South 15; and 4 in the Cameroons. They prepare annual estimates of revenue and expenditure on the Colonial model, which range from Dass with a revenue of £800 to Kano with a revenue of £118,000. Every one of the 80 can show surplus assets. Their total revenues exceed £900,000; their expenditure is somewhat less; and their surplus funds amount to more than £1,200,000. During the war the native administrations in the North voluntarily contributed £150,000 towards the expenses of the campaigns in West and East Africa. Their revenues are in the main derived from taxes collected by the natives—in the North an "income tax" and a livestock tax ("Jangali"), and in the South a poll tax. One half is paid over to the Central Government and the other goes into the Native Treasury.

The Kano Estimates of Expenditure are worth

examination as they illustrate clearly the nature of the services undertaken by the native administration. There is first the "Central Department," which includes the Emir's emoluments (£5,000) and the expenses of a Judicial Council; "District Heads" provides for 98 individuals with salaries from £1,000 downwards, and 170 messengers; other Departments are the Judicial, Treasury, Police, Prisons, Public Works, Survey, Medical and Sanitary, and Forestry. Under "Agriculture" provision is made for 8 instructors and 20 learners, for 7 stock inspectors and 10 veterinary apprentices. "Education" provides for free scholars, scholarships, and pupils at the Training College; for an Arts and Crafts School with instructors in motor mechanics, metalwork, woodwork, building and masonry, leatherwork and needlework, with subsistence allowances for 120 pupils; and for a Printing Department.

Space forbids detailed reference to the progress of the Gold Coast, where wholly different conditions of native life and organization prevail. For the best part of a century its external troubles came chiefly from the Ashantis, who on several occasions invaded British territory—once advancing to within a very few miles of the coast. One Governor lost his life in a disastrous expedition against them. After their defeat by Sir Garnet Wolseley in 1874 they offered to come under British protection, but the offer was refused. Sixteen years later, when the British Government changed their policy and proposed to protect the country, the Ashantis in their turn declined; but in 1896 a bloodless expedition

procured their submission, their king (Prempeh) was exiled to the Seychelles, and a British Resident was installed at Kumasi. In 1900 a regrettable incident, the outcome of insufficient knowledge of native sentiment, provoked another rising. Their "Golden Stool" had been hidden by the Ashantis at the time of Prempeh's deportation, and the Governor, regarding it as the symbol of sovereignty, came up to demand its surrender. Within a week the whole country was in arms, for the Stool had for the people much more than a temporal significance—it contained, as they expressed it, the soul of the nation. The Governor was besieged in Kumasi, and had to cut his way out; but a native British force eventually put down the rebellion, and the territory was formally annexed. In 1921 the Stool was discovered and restored to the people, the British Government announcing that they waived all claim to it. The effect was instantaneous; the Ashantis have since been perfectly loyal and peaceful, and, as a reward for their loyalty, effect has been given to their desire for the return of Prempeh from exile.

The development of the resources of the Gold Coast has proceeded apace, though hampered by certain natural disadvantages and sadly retarded by the war. It possesses no navigable rivers, and no satisfactory ports. Railways and roads are essential for the expansion of its trade, and both are costly; while, even if they are equal to bringing down produce to the coast, sea transport must remain expensive in the absence of wharfs alongside which steamers can lie. For years engineers battled with

the forces of the Atlantic in the endeavour to provide suitable accommodation at the existing ports, but as fast as they dredged away the sand it silted up again ; and they were at length forced to console their clients with the thought that, if they had failed to produce a harbour, they had at any rate provided an excellent beach for small boats. During Lord Milner's tenure of office a scheme, to which he gave much personal attention, was evolved for constructing a new harbour under different auspices and at heavy cost.

The Gold Coast provides the most notable example of native enterprise to be found within the Empire. In 1879 a native brought back a few cocoa seeds from Fernando Po, and planted them. The Agricultural Department were interested, and with the co-operation of the chiefs and the political officers experimental gardens and nurseries gradually spread through the villages of the Colony and Ashanti. In 1891 80 lbs. were exported, rising to 176,000 tons in 1919 ; and to-day the Gold Coast stands at the head of the cocoa producing countries, supplying one-third of the world's consumption. The production is almost entirely in the hands of the native farmers, who, in the aggregate, have made enormous profits ; but whether they can maintain the output indefinitely will depend, in the main, on the success that may attend the efforts of the Agricultural Department to convince them of the need, not only of improving quality, but also of taking timely measures against the formidable foes, insect and fungoid, that are lying in wait for them.

The Colonial Office recognizes two sets of clients in West Africa—the natives and the merchants. If their interests clash, those of the natives must come first, but when they are reconcilable the prosperity of the commercial world is a matter of legitimate concern to the Office. West African trade is unique in that, practically speaking, the heads of all businesses operating there are to be found in this country. For years past, representatives of the African sections of the Chambers of Commerce of London, Liverpool, and Manchester, have been in the habit of holding periodical conferences at the Colonial Office, for the discussion of matters of interest to them. Free and friendly criticism has not been wanting; difficulties on either side have been candidly explained; and even where commercial views have not been met, the representatives have at least been fully apprised of the obstacles. Cordial relations have been established, and the Office has gladly recognized the assistance that it has received from these meetings. It is doing no more than bare justice to the merchants to say that their outlook has by no means been confined to the commercial side, and that the Office can regard them as colleagues in the work of developing the country.

PART III

THE DOMINIONS

Chapter XI

EMIGRATION

STATE-AIDED Emigration, of which so much is heard at the present time, goes back to the earliest days of colonial settlement. At first it was concerned with involuntary rather than voluntary emigration, and its germ is to be found in the Vagrancy Act of Queen Elizabeth's reign, whereby justices were empowered to banish offenders and order them to be conveyed to such parts beyond the seas as should be assigned by the Privy Council. Effect was given to the Act by James I, who on one occasion ordered "a hundred dissolute persons" to be sent to Virginia. An Act of similar purport was passed in the reign of Charles II. Labour being scarce in the "Plantations" before the general introduction of negro slaves, and the prisons at home being congested, there was a twofold advantage in shipping out the prison population. An Act of 1718 provided that felons who escaped the death penalty should be handed over to "contractors" who engaged to transport them to the North American Colonies, retaining a pecuniary interest in the labour of the transportees for a term

of years. The supply of felons—always large under the operations of the penal laws then in force—was augmented by political disturbances; and the efforts of the contractors to promote involuntary emigration were seconded by kidnappers who raided the British coasts and sold their captures into what was virtually slavery. There was also a thin stream of voluntary emigration.

The revolt of the North American colonies closed the door in this direction, and the discoveries of Captain Cook along the shores of Australia came very opportunely for the Government, who thought that they saw in that quarter an unlimited dumping ground for the overflowing population of their prisons and hulks. Public opinion favoured that course, for “there was great confidence in the favourite theory that the best mode of punishing offenders was that which removed them from the scene of offence and temptation, cut them off by a great gulf of space from all their former connexions, and gave them the opportunity of redeeming past crimes by becoming useful members of society.” The theory died hard, and as late as 1850 Lord John Russell stated in the House of Commons that, when anxious during his Colonial administration (1839-1841) to restrict transportation, he found himself confronted by more than one decision of Parliament in favour of continuing it.

Under powers conferred by Parliament in 1784, an Order-in-Council was made constituting “the East coast of New South Wales or one or other of the adjacent islands” a penal settlement, and the first batch of involuntary emigrants—in 9 transports,

convoys by two men-of-war—sailed thither in 1787. Almost from the outset the Governor of the settlement (Phillips) realised the desirability of encouraging free colonization, and 1793 saw the first results in the arrival of a small party of 13 free colonists. Their numbers steadily increased; they soon began to resent living under a constitution designed for an oversea gaol, and the freed population, some of whom had acquired considerable wealth, joined in their view. Not all of the involuntary emigrants had arrived with a moral taint, though they had offended against the laws; and one of them at least, pardoned after a few years, rose to the position of an acknowledged leader of the free population, and enjoyed the universal esteem of his fellow countrymen.

From 1835 to 1840 the feeling in New South Wales grew so rapidly and acquired such strength, and such a measure of support in England, that the Government were forced to take account of it. A Committee of the House of Commons had condemned the system in 1837, and in 1840 the Government suspended transportation to New South Wales and diverted the whole stream upon Tasmania, with appalling results. They offered a new scheme to the Australian colonies—that of accepting convicts who had first been “purged and purified” in the home prisons—but none except Western Australia would look at it. By an Order-in-Council of 1848 they added the Cape to the list of penal settlements and sent out a shipload of prisoners,

cf. “Australian Constitutional Development,” by E. Sweetman (Melbourne).

but their arrival produced such an explosion—Dutch and English combining for the first time in the Colony's history—that the Governor prudently retained the prisoners on board ship pending further instructions from home. The Government bowed to the storm, diverted the vessel to Tasmania, and revoked the Order.

A final effort was made in 1863 when another House of Commons Committee, by a majority, recommended that prisoners should be sent to "a thinly populated Colony" to work out the latter part of their sentences and their own rehabilitation; but no action was taken on the recommendation, and in 1867 transportation came to an end.

Bad as it was it had served a purpose, for it is at least doubtful if Australia as a whole would be in British hands to-day if the country had not been useful in this way to Governments that certainly were not consumed with ardour for colonial expansion. In 1833, when colonists of Western Australia sent home a memorial of grievances in which they suggested that they had been encouraged by the Government to settle there in order to forestall the designs of a foreign Power, they were promptly informed by the Colonial Secretary of State (Lord Ripon) that "the first establishment of the settlement originated in a private speculation, and would not have been undertaken on public grounds alone."

If is difficult to trace any consistent line of policy in the attitude of British Governments towards voluntary emigration. In the middle of the 17th century they obtained a Parliamentary grant for the

emigration of a party of English colonists to Newfoundland. In 1819 they obtained a vote of £50,000 for "State-aided emigration" to the Cape, avowedly for colonization purposes, and sent out 5,000 settlers; but the scheme was not a success, though it had important results in introducing a British strain into the Eastern districts.

In 1839 they were ready to prohibit emigration to New Zealand, and it was only by outwitting them that Gibbon Wakefield was able to get off his ship-load, who arrived just in time to anticipate annexation by France. Yet in 1834 they had procured the passage of an Act of Parliament for the creation of a new Colony—South Australia—which recited that whereas that part of Australia between 132° and 141° E. and between the Southern Ocean and 6° S. "consists of waste and unoccupied lands which are supposed to be fit for the purposes of colonization; and whereas divers of His Majesty's subjects possessing amongst them considerable property are desirous to embark for the said part of Australia, and whereas it is highly expedient that His Majesty's said subjects should be enabled to carry their said laudable purpose into effect . . ." Power was taken by the Act to erect South Australia into a Province or Provinces, to establish a Government, and to appoint "Colonization Commissioners for South Australia." The Commissioners were authorized to survey and sell land to British subjects "in public and for ready money" at not less than 12s. per acre. The purchase money was to form a fund for conveying poor emigrants to the Province who were to be, as far as possible, adults of the two sexes in equal

proportions and not exceeding 30 years of age. A notable section of the Act provided that no convict, at any time or under any circumstances, should be transported to any place within the limits of South Australia.

Commissioners were appointed as directed by this Act,* but in 1840 their Commission was revoked, and their functions were amalgamated with those of a new body styled "the Colonial Land and Emigration Commissioners," the Commission to the latter reciting that "there are within divers of our Colonies, Plantations, and Possessions abroad large tracts of waste land vested in Us in virtue of Our Royal Prerogative and subject to alienation at Our pleasure."

The Colonial Secretary (Lord John Russell) issued detailed instructions to the Commissioners in which he discussed their functions under four heads: the collection and diffusion of accurate statistical knowledge; the sale in this country of waste lands in the Colonies; the application of the proceeds towards emigration; and the rendering of periodical accounts, both pecuniary and statistical. He laid great stress upon the necessity of imparting to all applicants "a faithful account of all the material circumstances by which the choice of emigrants, especially of the poorer classes, should be determined." The funds raised by land sales in a Colony were to be devoted to the conveyance of emigrants thither, but only in so far as compatible with a due regard to the pressing and necessary demands of the local Government. The Commissioners were to exercise the

* *cf.* p. 196.

power of making contracts for land sales concurrently with the Governor. A review of the various colonies showed that Australia would be the principal field of the Commissioners' operations; there were waste lands "of great extent at the Cape of Good Hope, but for the most part sterile and unfit for settlement." *Ceteris paribus*, the most desirable emigrants would be young married couples without children. Contracts made by the Commissioners—at any rate in colonies where land was sold by auction—were not to be for the sale of any specific lands nor even for the sale of any ascertained amount of land, but only for receiving any money which a capitalist (*sic*) or emigrant might be willing to pay; the Commissioners would grant him a certificate for the payment which would be accepted by the Colonial Treasurer in reduction of the amount of any price which the depositor might bid within the Colony for lands sold by public auction. On the financial side, the Commissioners were to be subject to the Treasury, who would decide how much could be appropriated to the expenses of the Colonial Government, and how much to emigration. "Should you," he said in conclusion, "succeed in aiding the colonization of distant countries by judicious regulation and vigilant superintendence, you will perform a task inferior to none in the extent of its scope and the magnitude of its results."

The three Commissioners—one of whom was the father of Sir Robert Torrens, the first Premier of South Australia and author of the famous "Torrens Act"—set about their work with vigour, as their voluminous correspondence with the Colonial Office

attests. By the end of 1840 their operations extended not only to New South Wales, South Australia, and Western Australia, but also to Canada, British Guiana, Bahamas, Trinidad, and Jamaica. (As regards South Australia it is noticeable that in one of their early letters they remark: "by the nature of its constitution, almost every affair of the ordinary administration of government in this Colony falls within our cognizance.") They endeavoured to get funds provided for emigration to Canada, without prejudice to "the wide and controverted question whether it would be possible, by grants or advances of public money, to conduct emigration on a scale sufficiently extensive to remove from the United Kingdom the burden of overpopulation"; and they recommended a loan for emigration to Western Australia. But the proposal was not acceptable to the Government—though they were willing to spend £500,000 annually in respect of involuntary emigration, this was for a purpose that directly appealed to them—and the Secretary of State rejected it.

As the larger colonies obtained self-government, and the control of the "waste lands" was surrendered to them, the scope of the Commissioners' functions contracted, and it became necessary to find other work for them. For a time they were entrusted with the duty of reporting to the Colonial Office on all colonial laws. They were given the administration of the Passenger Acts of 1855 and 1863, but their powers were transferred to the Board of Trade in 1872, and thenceforth the sole remaining duties of the Commissioners were those of controlling the

importation of Indian coolie labour into the few colonies that employed it. As a Commissioner retired, his post was allowed to lapse; the last disappeared in 1878, when the remainder of the staff was absorbed into the Colonial Office, which took over the coolie business, and the Secretary of State announced to the Colonies that the Commissioners' office had ceased to exist.

The years 1884 to 1886 were a period of distress in the United Kingdom, and philanthropists who believed in emigration as a means of relieving distress, and who also felt that persons were being sent out to the colonies under false pretences by advertising emigration agents, brought pressure on the Government to take active steps for assisting and controlling emigration. The Government adhered to what might by that time be described as settled policy* in refusing to subsidize emigration, but decided to establish an office at which intending emigrants might obtain impartial information and guidance. Accordingly the Emigrants Information Office was opened in 1886 under the management of a Committee of which the Secretary of State for the Colonies was the titular president. The Chairman and two members were provided from the Colonial Office; one or two other Departments were represented; and some dozen members of the Committee were unofficial persons, chosen for their interest in the question. The business of the Office grew to very considerable dimensions—by 1911 its annual correspondence was represented by more than

* cf. pp. 167-8.

130,000 letters—and the Committee occasionally found it necessary, from information which came to their knowledge, to supplement their work by warnings to would-be emigrants in the case of particular countries.

The Emigrants Information Office was the subject of enquiry by a Select Committee of the House of Commons in 1891, who recorded their opinion that no more valuable and efficient work had ever been done, at so small a cost to the public, than was being done by that Office; though there was a doubt in some quarters whether so heavy and continued a drain on the population of the United Kingdom was compatible with the best interests of the Mother Country or of the Empire as a whole.

Emigration policy did not come under review in the earlier Colonial Conferences, but from 1907 it has found a prominent place in the discussions of the Colonial and Imperial Conferences.* In the Conference of that year Australia brought forward a resolution “that it is desirable to encourage British emigrants to proceed to British Colonies rather than to foreign countries,” and “that the Imperial Government be requested to co-operate with any Colonies desiring immigrants in assisting suitable persons to emigrate.” The Australian representative, Mr. Deakin, was under the impression that whatever information was given to intending emigrants was given indiscriminately, and that persons anxious to go outside the Empire were practically as much encouraged as if they were going

* For these Conferences, see Chaps. XVI and XVII.

to colonies within the Empire. He made a severe attack on the methods of the Emigrants Information Office, with special reference to the information supplied in respect of one Australian State, to which the President of the Local Government Board (Mr. John Burns) gave an effective reply.

Mr. Deakin refrained from specifying the nature of the co-operation for which he asked, as he considered it a matter for the home Government to decide. He claimed that every State in Australia gave exceptional facilities for land settlement, and that settlers got a welcome and every encouragement. He therefore considered that the least to be expected was that a fair view of the facts would be put before the intending emigrant; "if he keeps within the Empire we have nothing more to say; if he should leave it we regard him as a loss. We look on emigration to foreign countries as draining the life-blood of the Empire."

The New Zealand attitude was one of reserve. "The majority of those who seek to be helped out of your country would be the class that under ordinary conditions you do not care to retain," and "the class of people, if they were of a superior class, that you would want to help out in large numbers to our country are the very people you ought to want to keep for yourselves. The experience some years ago in New Zealand was that we got a very large section of people who were most undesirable; and our Colony would certainly not be prepared to go into anything like a wholesale scheme of immigration upon lines of that kind."

The Cape and Natal felt that the time was not

yet ripe, so far as they were concerned, and General Botha took the same view, for special reasons, though he hoped for a large white immigration into the Transvaal in the future.

Canada looked after her own immigration, in a way that extorted the admiration of the other representatives, and was quite satisfied with the present position. While her representative considered the second part of the resolution to be too vague, he offered no objection to it.

Mr. John Burns spoke at length on the second part of the resolution, and explained the policy of the home Government in the matter. He pointed out that there were nearly 1,000 agencies in this country taking, directly or indirectly, an active part in sending people out of the country, and that the proportion of emigrants to the United States, as compared with those that remained under the British flag, had steadily diminished. "My experience suggests that over-zealous attempts to get people to emigrate very frequently do more harm than good." "I trust that the conference will agree with us that emigration by settlement of communities of men is not a desirable thing. Any attempt of close settlement, of land settlement, of settlement by communities of men, such as philanthropic associations have attempted in some parts of Canada and America is, in my judgment, a mistake, as experience will prove. The tendency of these settlements, however large or however small, is for them to become a first-class collection of social and political cranks, ending in failure and disappointment and waste of the money spent upon

them." . . . "The settled policy of Parliament has been not to vote State money for emigration. Although local bodies have power, and exercise it, to vote public and voluntary money for emigration and settlement, Parliament has always been against a State subsidy for emigration to any or to all of the colonies."

Mr. Burns defined the nature of the co-operation which His Majesty's Government were prepared to offer. The reorganization of the Emigration Board was under consideration; so was the recommendation of the recently appointed Settlements Committee that a State grant for five years should be passed by the Imperial Parliament; and if the colonies thought that any of the work done by the home agencies was of such a character that it might be improved upon, the Government would be glad to respond to any suggestion. For the moment, beyond that, the home Government were not disposed to go; and on this understanding the Australian resolution was passed.

At the Imperial Conference of 1911 the home Government brought forward a resolution that "the Governments of the various Dominions should consider in concert with the Imperial Government the possibility and the best method of utilizing the machinery of the national system of Labour Exchanges established in the United Kingdom, in connexion with the notification of vacancies for employment and applications of persons for employment as between the Dominions and the United Kingdom." It met with little or no support from

the Dominions representatives, and was withdrawn. According to the President of the Board of Trade :—
“As regards the question of cost, I am afraid I can only say it is the recognized policy, not only of this Government but of previous Governments, and I think successive Governments, that they do not see their way to advance money for the purpose of emigrating British subjects from here.”

Later, Australia submitted a resolution, which was passed in an amended form as follows :—
“That the present policy of encouraging British emigrants to proceed to British Dominions rather than foreign countries be continued, and that full co-operation be accorded to any Dominion desiring immigrants.”

According to Mr. Burns, since 1907 the volume of emigration had been steadily increasing and was expected to reach 300,000 in 1911, of whom nearly 80 per cent. would go to the British Empire. 300,000 emigrants meant 60 per cent. of the natural increase of the population of the United Kingdom. With a diminishing birth-rate and with an increasing emigration of fertile people, the Mother Country could not safely go beyond 300,000 a year, and if it sent to the Dominions from 80 to 90 per cent. of that number it would be giving all that they reasonably should require. State-aided emigration had not been asked for at the last Conference ; it had not been revived by any responsible person ; and, so far as money is concerned, it was not favourably regarded by the Mother Country.

So matters remained until and during the War. At the Imperial War Conference of 1917, on the motion of New Zealand it was resolved without debate (the question having previously been considered in the Imperial War Cabinet) that "this Conference expresses itself in favour of . . . arrangements by which intending emigrants from the United Kingdom may be induced to settle in countries under the British flag."

When the war came to an end, the necessity of making provision for ex-service men brought in its train a complete reversal of former Government policy as regards emigration. An "Empire Settlement Committee" had already been appointed in 1917 for the settlement of ex-service men within the Empire, and it was soon replaced by the "Oversea Settlement Committee," of which the present Secretary of State was Chairman, and which now absorbed the Emigrants Information Office.

In the early part of 1921 a conference was held between representatives of the home Government, Canada, Australia and New Zealand. Its President, Viscount Milner, stated that the conference had been summoned in order to advise upon an enduring policy of overseas settlement which should tend to bring about the best distribution of the man power of the Empire, and so to strengthen the whole Empire. He pointed out that overseas settlement should not be regarded as a means of dealing directly with abnormal unemployment in the United Kingdom at any given moment, but as a means of remedying fluctuations of trade by developing our best markets and of permanently minimising the

risk of unemployment here and throughout the Empire. He emphasised the view of His Majesty's Government that no stone should be left unturned to secure for the Dominions the population which they require, and to ensure that the outflow of population from the United Kingdom should have opportunities for settlement under the flag in countries British in spirit and British in their institutions.

It was clear from the outset that, in all the Dominions represented, the openings available for workers of other classes depended upon the increase in the number of primary producers. It was consequently agreed that the problem of establishing settlers from this country as primary producers upon the land overseas must be the basis of any policy of State-aided Empire Settlement, and that facilities for inter-Imperial migration generally would only be of limited value unless granted as part of a policy based on land settlement.

To this end certain proposals on behalf of His Majesty's Government were submitted to, and approved by, the conference; and were considered by a "Conference of Prime Ministers and Representatives of the United Kingdom, the Dominions and India," which met later in the same year. That Conference finally adopted the following resolution:—

"The Conference, having satisfied itself that the principles embodied in the report of the conference on State-aided Empire Settlement are sound in principle, and that the several Dominions are prepared, subject to Parliamentary sanction and to the necessary financial arrangements being made, to

co-operate effectively with the United Kingdom in the development of schemes based on these proposals, but adapted to the particular circumstances and conditions of each Dominion, approves the aforesaid report. The South African representatives wish to make it clear that the limited field for white labour in South Africa will preclude co-operation by the Union Government on the lines contemplated by the other Dominions."

The principal points in these proposals were:—His Majesty's Government to co-operate with the Oversea Governments in a comprehensive policy of Empire land settlement and Empire-directed migration, extending over a period of years, and to this end to contribute up to a maximum of £2,000,000 in any year in respect of schemes of land settlement, assisted passages and such other kindred schemes as may commend themselves to the Governments concerned; the assistance to land settlement to take the form of advances to settlers up to a maximum of £300 per settler; His Majesty's Government to assign normally about half its total contribution—i.e. about £1,000,000—to land settlement, and to assign the balance to assisted passages; all settlers receiving assistance under the scheme to be selected and approved by the Governments of the United Kingdom and the Dominion concerned, preference being given, as far as possible, to ex-service men; the Dominion Governments to make special arrangements for the reception, distribution and initial supervision of British settlers who should, as far as conditions permit, be given preferential treatment over foreign immigrants.

An "Empire Settlement Act" to give effect to these proposals was passed by Parliament in 1922. Its main provisions were :—that it should be lawful for the Secretary of State, in association with the Government of any part of His Majesty's Dominions, or with public authorities or public or private organizations either in the United Kingdom or in any part of such Dominions, to formulate and co-operate in carrying out agreed schemes for affording joint assistance to suitable emigrants to any part of the Dominions; that the Secretary of State should not agree to any scheme without the consent of the Treasury; that his contribution should not exceed one-half of the expenses of any scheme, and that his financial liability under it should not extend beyond 15 years after the passing of the Act; that the aggregate expenditure should not exceed £1,500,000 in the first year, or £3,000,000 annually afterwards, exclusive of repayments.

The results, as the Oversea Settlement Committee frankly acknowledge in their Reports, have been disappointing to the promoters; for the factors—both at home and in the Dominions—militating against success are numerous and formidable. A still more ambitious scheme has just been presented for Parliamentary approval, but this need not be discussed here. Emigration has been considered as it touched the work of the Colonial Office, but the territories controlled by that Department offer no scope for the "migration" contemplated by these proposals, and the work will be carried on by the Oversea Settlement Committee under the auspices of the new Dominions Office.

Chapter XII

THE INDIAN QUESTION IN THE DOMINIONS

THE position of British Indians in the Colonies has been the subject of an earlier chapter (VII). To complete the story it is necessary to refer to the corresponding question in the Dominions, and it is not irrelevant to the purpose of this work, for not only was the Colonial Office inevitably drawn into the controversy, but the alleged grievances of Indians in the Dominions had a repercussive effect on the Indian attitude towards the colonies.

As early as 1897 Mr. Joseph Chamberlain, in his address to the Colonial Conference of that year, took occasion to dwell upon the objections felt by Her Majesty's Government to legislation passed or contemplated in certain colonies with regard to Asiatic immigration. He recognized that an influx of people alien in civilization, in religion and in customs, which moreover would most seriously interfere with the legitimate rights of the existing labour population, must in the interests of the colonies be prevented at all hazards; and he announced that the Government would not offer any opposition to proposals intended with that object. But he declared that exclusion, by reason of their race or colour, of all British Indian subjects, or even of all Asiatics, would be an act so offensive

to those people that it would be most painful to Her Majesty to have to sanction it.

The observations of the Secretary of State had reference to recent legislation in some of the Australian Colonies. The doctrine of a "White Australia" had become firmly rooted in the public mind; and to prevent a threatened danger to it, stringent Acts had been passed, some years previously, for the restriction of Chinese immigration. Shortly before the meeting of the 1897 Conference, these Acts had been extended so as to apply similar restrictions—though with some important exceptions—in the case of Asiatics generally. The position of the Secretary of State was all the more delicate in that the attitude of the South African Republic towards British Indian traders was, at that moment, one of the many matters of acute controversy with that Government. No definite agreement was reached at the Conference; but at its conclusion it was stated that the Government had every expectation that the natural desire of the Colonies to protect themselves against an overwhelming influx of Asiatics could be attained without placing a stigma on any of Her Majesty's subjects on the sole ground of race or colour.

How that result was to be achieved was not explained; but as Mr. Chamberlain had referred in his opening speech, with more or less approval, to legislation passed in Natal, it is to be inferred that he hoped for a solution on similar lines. That Colony had been importing Indian labour since 1860, and the whites—always sensitive, from bitter experience in the past, to their position in the

midst of a native population outnumbering them by ten to one—had become alive to the fact that the situation was not being improved by the addition of an Indian population more numerous than themselves. Large numbers of Indians were permanently established in the Colony; their industrial and commercial competition with the whites was exceedingly unpalatable, and public opinion became dangerously excited. The new Act, passed after discussion with the Colonial Office, was not directed specifically against any race, but prohibited the immigration of any person who could not, if required to do so, write out and sign an application in any European language to be exempted from the provisions of the Act.

In the Conference of 1911 Lord Crewe, as Secretary of State for India—who had recently had the advantage of seeing the Dominion and Colonial side of the question while Secretary of State for the Colonies—made a lengthy appeal on behalf of the Indians. He fully recognised the right of the Dominions to lay down their own rules for admission to their citizenship, and undertook that the India Office would not encourage extravagant claims for entrance. He admitted that he saw no real solution to the problem in its full sense, but he urged that differentiation did not make for a united Empire. Two distinct matters were involved—cheap competitive labour and the colour bar—and it was to the latter that he chiefly addressed himself. He affirmed the undoubted loyalty of India as a whole, but said that this question was one which united all creeds and classes there, and

was a valuable asset to those who were opposed to our rule. His only concrete suggestions were that the Dominions should make entrance more easy and pleasant for Indians than it had been in the past, and that in dealing with domiciled Indians regard should be had to caste prejudices.

The Dominion members were mostly agreed that the alleged colour bar was not in question. New Zealand was not concerned with an influx of Indians; her grievance was that ships employing lascars competed with her own shipping, which was compelled to employ white crews at much higher rates of pay, and she was contemplating legislation to make this impossible. The question for her was purely economic, and on a par with the protection afforded to goods created by white labour against those produced by cheap coloured labour. Australia felt very strongly that any suggestion for the mixture of white and coloured races, or a freer admission of them into countries now inhabited by the separate races, would tend to a disunited rather than a united Empire. She recognised that there were localities in which coloured and white could live separately, and that under those conditions there should be the best possible and most harmonious relations between them. Resolutions had already been carried in Australia removing some of the disabilities under which Asiatics formerly laboured, and the prejudice against them, which in former years had been very strong, was decreasing; but suggestions from the Conference or any extraneous source would not be helpful. The Australian policy of exclusion of

certain races had come to stay, and must be recognized; but subject to that they were anxious to assist in the way of free entrance to visitors and to remove any obnoxious restrictions or regulations.

Sir Wilfred Laurier, for Canada, made an important contribution to the discussion by reminding the Conference of the fact—too often ignored throughout this controversy—that the appeal by the Indians to “the inherent rights of British subjects” was beside the point; the rights of British subjects are everywhere circumscribed by conditions which are matters of municipal and local legislation.

South Africa, as always, dealt with the matter squarely, and without taking refuge in pleasant generalities which would lead nowhere. While the labour question was prominent in the minds of the other Dominions, with South Africa it was not so much a question of labour as of self-preservation. The comparatively small number of whites had an overwhelmingly large African population to deal with, and peculiar colour questions as between the two, and they could not afford to introduce another colour problem by the presence of a large Asiatic population. They regarded the matter as one of life and death; but nevertheless, after much difficulty, they believed that they were on the point of coming to a settlement. There had been full discussion between the Union and the Imperial Governments, and practical agreement as to the lines of future legislation. The Union Government had now come to an understanding with the Indians

already within their territory, and all that remained was to give legislative effect thereto.

In this belief South Africa was over-sanguine, as the future was to show.

At the Imperial War Conference of 1917 the Secretary of State for India (Mr., now Sir, Austen Chamberlain) and Indian Representatives were present, and a memorandum by the India Office—very moderate in tone, as will be seen from the following extracts—was laid before it. After pointing out that the Dominions had, by administrative measures, secured themselves against an influx of uneducated Asiatics, and that Canada had put Japanese in a far better position than British Indian subjects, it stated:—"The Indians settled in the Dominions make complaints from time to time on various points, such as the absence of political equality with full citizens. Such matters are entirely within the discretion of the several Governments, and need not be discussed. . . . It is quite recognized that some Indians resident in the Dominions have put forward claims, in the direction of requests for the Parliamentary franchise and for the recognition of non-Christian marriage systems, which no Dominion Government could grant without danger to the character of its own institutions, and have thus weakened their requests for remedy of more material grievances. . . . It is common ground that Indians of any class who have been allowed to acquire residential rights in the Dominions should be accorded equitable treatment. It is not yet admitted, except by South Africa, that Indian men who have acquired residential rights

should be allowed to introduce women of their own race. . . . The embargo against unlimited immigration of Indians of the labouring classes is understood in India, though not popular. But the provisions which, while not preventing the visits of educated Indians, put upon them the onus of proving to Dominion officials that they do not belong to prohibited classes, are undoubtedly a cause of much friction, and have helped to create in Indian political circles a very strong feeling of hostility to the Dominions. . . . To attain a settlement of these grievances it is necessary to recognize, in the first place, that they are in a great measure matters of sentiment. . . . If the Dominions would make concessions which would meet feelings of this order, they would probably find that India would not be unreasonable on material points." Finally it suggested that the basis of an agreement might be sought on the following lines:—

(1) Indians permanently settled in the Dominions should be allowed to bring in wives (subject to the rule of monogamy) and minor children, and in other respects should not be less privileged than Japanese settled immigrants ;

(2) Future admissions of Indians for labour or settlement should, if possible, be regulated on lines similar to, and not less favourable than, those governing the admission of any other Asiatic race ;

(3) If this is not possible, there might be reciprocal treatment, in India and each Dominion, of immigration for purposes of labour or permanent settlement. If a Dominion is determined to exclude these two classes of immigration from India, India should be

free to do the same as regards that Dominion. It would be clearly recognized that the exclusion in either case was not motivated by prejudices of race, but was the outcome of different economic conditions ;

(4) Along with such exclusion, reciprocal arrangements would be made for granting full facilities for the admission of tourists, students, and the like, and for business visits entailing temporary residence, so long as this residence was not for labour purposes or for permanent settlement.

The question appears to have been fully discussed at an informal meeting, brought about by the Canadian representative, Sir Robert Borden, of which no record exists. Later, Mr. Chamberlain submitted a resolution on the subject, and in speaking to it said :—" My colleagues and I recognize the strong feeling that there is in the Dominions that they wish to preserve the homogeneous nature of their population and the special civilization which they have striven to cultivate, and I desire to make it clear that we neither claim nor expect anything like an unrestricted right of emigration and settlement in the Dominions. What we particularly ask is that in the first place British Asiatics, that is, Asiatics of British nationality, should at least not be less favourably treated than other Asiatics. In the second place, we would ask that the freest facilities possible be given to educated Indians for travel, for study, or for visits, as apart from settlement, in the Dominions for any purposes. Lastly, we would ask that a kindly and sympathetic consideration should be given to those Indians who

have already been permitted to settle in the Dominions."

The resolution, which was carried unanimously, was :—"That the Imperial War Conference, having examined the memorandum on the position of Indians in the self-governing Dominions, presented by the Indian representatives to the Conference, accepts the principle of reciprocity of treatment between India and the Dominions, and recommends the memorandum to the favourable consideration of the Governments concerned."

A memorandum of a somewhat uncompromising character was laid before the Imperial War Conference of 1918 by Sir Satyendra Sinha, the Indian representative. It set out their grievances against Canada and, in great detail, against South Africa. It hinted at a claim to the Parliamentary franchise in that country, and suggested the appointment of a local agent of the Indian Government at Pretoria for the purpose of bringing Indian grievances to the notice of the Union Government; and it stated that they had in draft a bill empowering the Governor-General of India in Council to make rules for the purpose of securing that persons domiciled in other parts of the British Empire should have the same rights and privileges as regards entry into, and residence in, British India, as are accorded by the law and administration of such other parts of the Empire to persons domiciled in India.

Sir S. Sinha submitted a lengthy resolution which he considered would, if accepted, solve many of the most acute difficulties which had arisen between the

Dominions and India, and it was carried unanimously—after a warning by the Secretary of State for India (Mr. E. S. Montagu) that its adoption must not be regarded as a solution of all outstanding questions. It was agreed that it is an inherent function of the Governments of the several communities of the British Commonwealth, including India, that each should enjoy complete control of the composition of its own population by means of restriction on immigration from any of the other communities; and British citizens domiciled in any British country, including India, should be admitted into any other British country for visits, for the purpose of pleasure or commerce, including temporary residence for the purpose of education. The conditions of such visits should be regulated on the principle of reciprocity, the right of the Government of India being recognised to enact laws which should have the effect of subjecting British citizens domiciled in any other British country to the same conditions in visiting India as those imposed on Indians desiring to visit such country. Indians already permanently domiciled in the other British countries should be allowed to bring in their wives and minor children on condition that not more than one wife and her children shall be admitted for each such Indian, and that each individual so admitted shall be certified by the Government of India as being the lawful wife or child of such Indian. The Conference recommended the other questions covered by the memoranda presented by the representatives of India, to the various Governments concerned with a view to early consideration.

L'appétit vient en mangeant; and the Indian representatives presented further demands to the Conference of Prime Ministers, etc. of 1921. The proceedings have not been published; but from what has been made public it may be inferred that the demands included one for full citizenship (including the Parliamentary franchise) for Indians domiciled in other parts of the Empire. The question was remitted to a Special Committee under the chairmanship of the Secretary of State for the Colonies, and it is evident that the proposals then made were such as the Union of South Africa, in spite of their genuine desire to go as far as possible in meeting Indian views, were unable to accept, and that they found it necessary to make this clear in the resolution finally adopted. It was :—

“The Conference, while reaffirming the resolution of the Imperial War Conference of 1918, that each community of the British Commonwealth should enjoy complete control of the composition of its own population by means of restriction of immigration from any of the other communities, recognizes that there is an incongruity between the position of India as an equal member of the British Empire and the existence of disabilities upon British Indians lawfully domiciled in some other parts of the Empire. The Conference accordingly is of opinion that, in the interests of the solidarity of the British Commonwealth, it is desirable that the rights of such Indians to citizenship should be recognized.

“The representatives of South Africa regret their inability to accept this resolution in view of the

exceptional circumstances of the greater part of the Union.

“The representatives of India, while expressing their appreciation of the acceptance of the resolution recorded above, feel bound to place on record their profound concern at the position of Indians in South Africa, and their hope that by negotiation between the Governments of India and South Africa some way can be found, as soon as may be, to reach a more satisfactory position.”

The question came up again in the Imperial Conference of 1923, though from the published summary of the proceedings—which is the only material available—it does not appear that any formal resolution was passed. It can be gathered from the summary that the position was reviewed in the light of developments since the Conference of 1921, and that a full presentation of the Indian case was made by the Indian representatives. Their main proposals were that the Dominions concerned, and the British Government for the Colonies and Protectorates, should agree to the appointment of Committees to confer with a Committee appointed by the Indian Government as to the best and quickest means of giving effect to the 1921 resolution. They also expressed the hope that the Union Government would agree to the Indian Government sending an agent to South Africa who would protect Indian nationals there, who would serve as an intermediary between them and the Union Government, and who would place the Indian Government in full possession of the facts regarding Indian nationals in South Africa.

Canada and Australia saw no necessity for such a Committee. New Zealand accepted the proposal. The attitude of the Secretary of State for the Colonies has been mentioned elsewhere (pp. 93-4, 96).

South Africa took a firm stand. The Prime Minister of the Union (General Smuts) intimated that, so far as South Africa was concerned, it was not a question of colour; and that the attitude of thinking men in that country was not that the Indian was inferior because of his colour or on any other ground, but that the question had to be considered from the point of view of economic competition. In other words, the white community in South Africa felt that the whole question of western civilization in South Africa was involved. He could hold out no hope of any further extension of the political rights of Indians in South Africa, and, so far as the Union was concerned, could not accept the proposal made.

The Secretary of State for India (Viscount Peel), in summarizing the results attained, pointed out that the discussion had demonstrated that it was a mistake to suppose that Indians throughout the Empire were given an inferior status, or that such disabilities as might be felt to exist were based on race or colour.

And there, for the time being, the matter rests.

Chapter XIII

MANDATES

IMMEDIATELY on the outbreak of war the British Government appointed a Committee, on which the Colonial Office was represented—known as the Offensive Operations Committee—to consider what action should be taken against the German Colonies. The impelling reason was not lust of territory, but the removal of actual or potential dangers to the navy or to the colonies. Thus the attack on Togoland ensured the destruction of the great German wireless station there. The German forces in the Cameroons menaced, and indeed invaded, Nigeria, and its port would have been a refuge for commerce raiders. The position of the settlers in British East Africa, confronted by a strong German force across the border, gave cause for grave anxiety; part of their territory was invaded and held for a time, and the threat to their vital line of communication, the Uganda Railway, was very serious. The bays and harbours of German East Africa offered, and gave, a refuge to German raiders. Similar considerations led the New Zealand and Australian Governments to take action against Samoa, German New Guinea, and the German islands in the Pacific, and impelled the South African Government to do the same in German South-West Africa, where also a powerful German wireless station had been

installed, and where a German force of military settlers had been established in the hope of over-running South Africa with the help of anti-British sympathisers.

The end of the war introduced a novel principle into international law. Hitherto, at the close of hostilities direct negotiations between the combatants produced a treaty of peace whereby, for the most part, the loser paid in territory. For instance, in 1670 the treaty of Madrid gave Jamaica to the British Crown; the Treaty of Utrecht (1713) gave Gibraltar; the Treaty of Amiens (1802) gave Trinidad; the Treaty of Paris (1814) gave Malta and Mauritius—though each of these cases was merely a formal recognition of Great Britain's right to that which she had already acquired by force of arms. But by the Treaty of Versailles Germany renounced—not in favour of the individual conquerors, but “in favour of the principal allied and associated Powers”—all her rights over her oversea possessions; these Powers placed their conquests at the disposal of the League of Nations; and in every case the League saw fit to issue its Mandate for the administration of these possessions to the nations that had conquered them.

So far as Great Britain is concerned, these mandates, with one exception, are framed on similar lines. As an example, the mandate for Togoland begins by reciting that Germany had renounced as above; that the principal allied and associated Powers had agreed that the Governments of France and Great Britain should make joint recommendations to the League as to the future of

Togoland; that the two Governments had made a recommendation that a mandate to administer, in accordance with Article 22 of the Covenant of the League of Nations, a certain portion of Togoland should be conferred on His Britannic Majesty; that His Britannic Majesty had agreed to accept the mandate, and had undertaken to exercise it on behalf of the League of Nations. It then lays down the conditions on which the mandate is granted, the principal being that:—

(1) the Mandatory shall be responsible for the peace, order and good government of the territory, and for the promotion to the utmost of the material and moral wellbeing and the social progress of its inhabitants:

(2) the Mandatory will not establish in the territory any military or naval base, nor erect any fortifications, nor organize any native military force except for local police purposes and defence of the territory:

(3) the Mandatory will provide for the eventual emancipation of all slaves; will suppress all forms of slave trade; will prohibit forced or compulsory labour except for essential public services, and then only in return for adequate remuneration; will supervise labour contracts and labour recruiting; will control traffic in arms and ammunition, and sale of spirituous liquors:

(4) in framing laws relating to the holding and transfer of land, the Mandatory will take into consideration native laws and customs, and will respect and safeguard the interests of the native population; no native land shall be transferred to

non-natives without the previous consent of the public authorities :

(5) the Mandatory will secure to all nationals of States, members of the League of Nations, the same rights in the territory as are enjoyed by his own nationals in respect of entry into and residence in the territory ; the protection afforded to their persons and property and acquisition of property, movable and immovable ; and the exercise of their profession or trade ; subject only to the requirements of public order and to the condition of compliance with the local law :

(6) concessions for the development of the natural resources of the territory will be granted by the Mandatory without distinction on grounds of nationality between the nationals of all members of the League :

(7) the Mandatory will ensure complete freedom of conscience and the free exercise of all forms of worship that are consonant with public order and morality :

(8) the Mandatory will have full powers of administration and legislation in the territory, which shall be administered in accordance with the laws of the Mandatory as an integral part of his territory, and he will be free to bring the territory into customs, fiscal, or administrative union with adjacent territories under his control :

(9) the Mandatory will make to the Council an annual report, to the satisfaction of the Council, on the measures taken to apply the provisions of the Mandate.

By previous agreement between the two Govern-

ments, France took over the administration of about half of Togoland and nine-tenths of the Cameroons, and in each case obtained the principal port of the territory. Duala (the port of the Cameroons) might easily be made impregnable to anything short of very extensive operations by sea and land—as the British found when they reduced it—and if it were in the possession of a less friendly Power provision (2) above would be of importance, for in the hands of a potential enemy it might constitute a very serious danger to the trade route between the Cape and the United Kingdom.

The description, in these mandates, of the Mandatory is noticeable as marking a stage in the international recognition of the Dominions as administrative units. For the former German Protectorate in East Africa (Tanganyika), for Nauru, and for the portions of Togoland and the Cameroons falling under British administration, it is "His Britannic Majesty"; for the former German colony of Samoa it is "His Britannic Majesty for and on behalf of the Government of the Dominion of New Zealand as the Mandatory"; for the former German colony of New Guinea and the former German islands in the Pacific south of the Equator, it is "His Britannic Majesty for and on behalf of the Government of the Commonwealth of Australia as the Mandatory"; for the former German Protectorate of South-West Africa it is "His Britannic Majesty for and on behalf of the Government of the Union of South Africa as the Mandatory."

Nothing is said as to the period for which the

mandates have been given, nor has the League reserved to itself power to revoke them. They are, therefore, presumably granted in perpetuity.

The mandate for Palestine, conferred on His Britannic Majesty, is in many respects of a different nature. It recites, *inter alia*, that the principal allied and associated Powers had agreed to entrust to a Mandatory selected by them the administration of the territory of Palestine, which formerly belonged to the Turkish Empire, within such boundaries as might be fixed by them; that they had also agreed that the Mandatory should be responsible for putting into effect the declaration originally made on November 2nd, 1917, by the Government of His Britannic Majesty, and adopted by the said Powers, in favour of the establishment in Palestine of a national home for the Jewish people; and that recognition had thereby been given to the historical connexion of the Jewish people with Palestine and to the grounds for reconstituting their national home in that country. The chief points peculiar to this Mandate are that:—

(1) the Mandatory shall be responsible for placing the country under such political, administrative and economic conditions as will secure the establishment of the Jewish national home . . . and the development of self-governing institutions, and also for safeguarding the civil and religious rights of all the inhabitants of Palestine, irrespective of race and religion:

(2) the Zionist organization is to be recognised as a public body for the purpose of advising and co-operating with the Administration of Palestine

in such economic, social and other matters as may affect the establishment of the Jewish national home and the interests of the Jewish population in Palestine and, subject always to the control of the Administration, is to assist and take part in the development of the country :

(3) the Mandatory shall have control of the foreign relations of Palestine :

(4) the Mandatory shall assume all responsibility in connexion with the Holy Places and religious buildings or sites in Palestine, including that of preserving existing rights and of securing free access to the Holy Places, religious buildings and sites and the free exercise of worship, while ensuring the requirements of public order and decorum ; but he shall have no authority to interfere with the fabric or the management of purely Moslem sacred shrines, the immunities of which are guaranteed :

(5) the Mandatory, with the previous approval of the Council of the League, shall appoint a special Commission to determine the rights and claims in connexion with the Holy Places and the rights and claims relating to the different religious communities in Palestine :

(6) the Mandatory shall secure, and ensure the execution of, a Law of Antiquities based on rules laid down in the mandate :

(7) the official language of Palestine shall be English, Arabic and Hebrew :

(8) in Transjordan the Mandatory may, with the consent of the Council of the League, postpone or withhold the application of provisions of the

mandate which appear inapplicable to that territory; and the British Government, with the consent of the Council, has accordingly excepted this territory from the operation of certain provisions made in the interests of Jewish settlement in Palestine proper.

As regards Iraq (Mesopotamia) it would appear that matters went as far as the drafting of a Mandate; but none has been issued, and it has been superseded by the Treaty of Alliance concluded in October, 1922, between His Majesty and King Feisal Ibn Hussein, whom the British Government had recognized, after a local referendum, as "constitutional King of Iraq." By the treaty His Majesty undertakes, among other things, to provide Iraq with such advice and assistance as may be required, "without prejudice to her national sovereignty," and to furnish such support and assistance to the armed forces of the King of Iraq as may be agreed between the contracting parties. The treaty was to remain in force for 20 years, at the end of which time it was to be examined, and terminated if the parties were of opinion that it was no longer required; but by a Protocol of the following April the period was modified, and the treaty was to "terminate upon Iraq becoming a member of the League of Nations and in any case not later than four years from the ratification of peace with Turkey," though it was contemplated in the Protocol that the treaty would be replaced by a fresh agreement.

Subsequent to the Treaty and Protocol, sundry agreements were made by the two parties. One provided for the appointment of British officials,

as civil or military advisers, in the various departments of the Administration, and laid down detailed rules as to their period of service, grading, rates of pay, leave, discipline, etc. etc. Another defined the nature of the military assistance to be furnished by the British Government, and the reciprocal military obligations of the Government of Iraq. A third related to the employment of British legal experts in the Courts, and the judicial powers to be conferred on them; and a fourth was concerned with financial matters.

Save for these last two places, the extra responsibilities imposed on the Colonial Office by the mandates have not put any great strain upon it. Togoland has been attached to the Gold Coast for administrative purposes, and the small fraction of the Cameroons has similarly been attached to Nigeria. To set on foot an administration in derelict and war-worn Tanganyika—a country as large as Nigeria—was a bigger business, but work to which the Office was well accustomed. But Iraq and Palestine were more serious matters, and it has been necessary to create a new “Middle East” division of the Office, manned by about 20 officials of all grades, to cope with the work.

Chapter XIV

AUSTRALASIA

IN treating of Emigration* some reference has been made to the circumstances in which the Australian colonies were founded. The parent Colony, New South Wales, dates from 1788, and was then held to include the whole eastern part of the continent. Victoria was carved out of it in 1851, and Queensland in 1859. Lord John Russell in effect gave self-government to these and to South Australia by his "Australia Act," which empowered them to alter their original constitutions. Western Australia, comprising almost one-third of the whole continent, received its first settlers in 1829, and did not entirely lose its dependence on the Colonial Office until 1890, when it exchanged its "representative institutions" (under which its officials were appointed from home and were not subject to the local legislature) for complete self-government. Tasmania, annexed in 1803, was at first made auxiliary to Botany Bay, as a penal settlement, but was separated from it in 1825.

In the same chapter something has been said of the colonization of South Australia; but at the risk of a little repetition it may be of interest to trace somewhat further the history of this unique experiment on the part of the British

* Chapter XI.

Government and its instrument, the Colonial Office.

South Australia was founded on the "Wakefield theory of colonization," though Gibbon Wakefield subsequently disclaimed responsibility for some features of the scheme. According to the theory it was to be self-supporting. The intention of the projectors had been to form a Chartered Company with powers of legislation, taxation, and administration; but the home Government did not agree, and passed the Act of 1834* creating the usual machinery of colonial government and a Board of Commissioners. The latter were empowered to levy £50,000, to start emigration, on the security of the anticipated land fund; and to defray the expenses of founding the Colony by raising £200,000 on the security of the future colonial revenue exclusive of that fund.

Difficulties, financial and other, soon arose. There was no sufficient line of demarcation between the powers of the Governor and those of the Commissioners; and it was found impossible to raise the £200,000 on the security of the revenue of a country whose soil was yet unbroken. Accordingly a further Act was passed in 1838, increasing the Commissioners' borrowing powers and enabling them (within certain limits) to use either fund for the purposes of the other.

The financial results were remarkable, and may be summed up as general extravagance and a gamble on the future. In four years there was expenditure at the rate of £140,000 per annum, against a

* cf. p. 159.

Colonial revenue of £20,000. The Governor met his calls for money by drawing bills on the Commissioners at home, in complete ignorance of the state of their funds. In 1840 the Board's commission was revoked, and a Board of Land and Emigration Commissioners was appointed for all the colonies, including South Australia. The new Board promptly refused to honour the Governor's bills; the Colony was bankrupt; and Parliament had to intervene by empowering the home Government to grant the necessary advances. The Governor was recalled, and Sir George Grey was sent out to retrench and reform. The condition of the Colony, as he found it on arrival, was pitiable; the moneyed men were bankrupt, and the workmen were all but in insurrection; ten per cent. of the population were on his hands as absolute paupers. The new Governor took drastic measures and cut down the expenditure to one-third; he "pruned the young colony to the very roots, and it shot forth again with a health proportioned to the vigour with which the knife had been applied." The community seconded his efforts by facing the situation with such energy that within a few years the colony was out of debt and on the high road to prosperity.

The idea of a federated Australia was first put forward as early as 1849. The Government of the day must have had no great confidence in the advice obtainable from its Colonial Office, for it referred to another Department—the Committee of the Privy Council for Trade and Plantations,

equivalent to the modern Board of Trade—all the correspondence with Australian Governors on the subject of better government for those colonies ; and the Committee was asked to report on the separation of Port Phillip (now Victoria) from New South Wales, and on constitutional reforms in the Australian colonies. Among its recommendations was a proposal that one of the Australian Governors should be Governor-General of Australia and should be authorized to convene a “ General Assembly ” of Australia—to consist of the Governor-General and a House of Delegates elected by the legislatures with certain powers in relation to duties, postage, roads, the establishment of a Supreme Court, and some other matters. In general, colonial opinion was adverse, and the reference to the Committee was attacked by Disraeli in the House of Commons as an unconstitutional delegation of the Colonial Secretary’s duties.

The first step in the direction of confederation was taken in 1885 when an Imperial Act, “ the Federal Council of Australasia Act,” created a Council of two members (increased to five in 1894) from each Colony adopting the Act, and one member in the case of Crown Colonies. It conferred various specific powers of legislation (some of them extra-territorial) and generally in respect of any subject referred to it by Order-in-Council on the request of the colonial legislatures. The Federal Council was to meet once at least in every two years, and it held seven sessions in all. At its first session five administrations, including Fiji, were represented ; at the third session South Australia was added, but

dropped out thereafter, and Fiji also disappeared; and its last meeting was held in 1897.

Meanwhile popular opinion in Australia had been concentrating upon the idea of a more effective federation, and a meeting of Premiers, held in 1895, agreed to the draft of an "Enabling Bill" whereby each Colony should elect delegates to prepare a scheme. At first Queensland blocked the way by twice shelving the Bill; and though in 1898 a Bill was adopted and submitted to a referendum, it failed to get the necessary number of votes in New South Wales. Further difficulties arose with Western Australia; but by 1899 delegates were able to proceed to England, on the invitation of the Secretary of State for the Colonies, to advise and assist in the passage of an Imperial Act. There was some discussion with Mr. Chamberlain and some difference of opinion—principally on the question of the limitation of appeals to the Privy Council—but that matter was settled by compromise, and the Imperial Parliament in all other important points accepted the Bill as received from Australia. Western Australia had not finally committed herself; but an enabling clause in the Act permitted her to come under it if she desired, and by the time that the Act came into force a referendum had been taken there with favourable results.

Thus on the 1st January, 1901, the Commonwealth of Australia came into being, embracing the five mainland colonies and Tasmania which now became States of the Commonwealth. Its constitution differed from that of the Dominion of Canada, and

approximated rather to that of the United States of America. Whereas, under the British North America Act of 1867, the Dominion Government and Parliament retained all the powers not specifically transferred to the Provinces, in Australia the central Government and Legislature only received such powers as were specifically surrendered to them by the States. One result of the difference is that while the Canadian Provinces have at their head Lieutenant-Governors selected by the Dominion Ministry, the Australian States retained their Governors, who were selected by, and corresponded with, the Secretary of State for the Colonies, keeping the Governor-General informed of their correspondence. As another consequence, the States continued to maintain their Agents-General in London, in direct touch with the Colonial Office on matters relating to their respective States, and independent of the High Commissioner for Australia in London; whereas the High Commissioner for Canada was, save for the Governor-General, the sole medium of communication with the Colonial Office, to the exclusion of provincial Agents-General.

Of late years a movement has sprung up in some Australian States in favour of their Governors being appointed locally; and the attitude consistently maintained by successive Secretaries of State for the Colonies has been that, if the change were to be made, it could not be made piecemeal, but must be the result of a unanimous demand from all the States. There has been a disposition in certain quarters at home to deplore the suggestion as

weakening the ties between Australia and the mother country ; but looking to Canadian experience and, above all, to the lessons of the war, the fear seems to be unfounded. The change might even have a contrary effect, as diminishing the possibilities of friction between a Governor-General and a State Governor, or between a Governor and his Ministers, in matters where the home authorities might be called on to take sides and would have the disagreeable duty of acting as umpire. It would be more to the point to suggest that the proposal, if adopted, would diminish the degree of independence towards the Commonwealth Government which the States now enjoy and are anxious to maintain, and would be a step towards reducing them to the status of provinces.

It was not long before Captain Cook's discoveries led missionaries to penetrate into the Pacific, and probably no greater work has ever been accomplished in so short a time by missionary effort. In comparatively few years they transformed the ferocious cannibals of Fiji into an orderly and Christian community ; and their success in the widely scattered islands of the Pacific, while not so striking, was not inconsiderable, although there they had to contend against the evil influence of the most debased of their countrymen. As early as 1817 it had been necessary to pass an Act of Parliament providing that offences by British subjects in the South Pacific should be dealt with in the same manner as if committed on the high seas, and Acts of 1824 and 1829 conferred power on the Supreme

Courts of New South Wales and Tasmania to take cognizance of such offences.

One of the effects of the American Civil War—the shortage and high price of cotton—was the establishment of a European community in Fiji for the purpose of cotton growing. The most powerful chief, Thakombau, had already offered the sovereignty of the Islands to Great Britain, and the offer had been declined by the Colonial Secretary—the Duke of Newcastle—in 1862. The need of Queensland and Fiji for coloured labour brought into existence a class of “recruiters” who brought labour from the islands, and their infamous methods—attested alike by letters from missionaries and reports from naval officers—powerfully stirred public opinion in England. In 1869 a Royal Commission had been appointed in New South Wales to enquire into alleged cases of kidnapping. The climax came in 1871 when Bishop Patteson, the first missionary bishop of Melanesia, was murdered on Nukapu island by natives in revenge for outrages on the inhabitants committed by kidnappers a few months previously.* The event was mentioned in the Queen’s speech, and led to the passing, in the following year, of the Pacific Islanders Protection Act, and the first attempts to regulate the labour traffic.

For that purpose a centre of operations was required. Since 1869 the question of annexing Fiji had been discussed, in Australia as well as in England, on grounds both of local expediency and of Imperial obligations. In 1873 the Colonial

* R. L. Stevenson, in “The Wrecker,” refers to their proceedings when they impersonated the Bishop.

Secretary—Lord Kimberley—sent Commissioners to investigate. They got an offer of cession, but the terms were not acceptable to him, and he then instructed the Governor of New South Wales—Sir Hercules Robinson—to proceed there in person and to open fresh negotiations.

The situation in Fiji at the time was interesting—it might almost be said, comic—and the islands formed the setting for a romantic career. Years before a boy named Thurston, whose youthful imagination had been fired by tales of adventure, had run away to sea, and after drifting about the world he eventually found himself at Fiji. He made himself useful at the British Consulate, and acted as British Consul between 1867 and 1869. In 1871 certain Englishmen set up a Fijian Government, with Thakombau as “king,” established a Constitution and elected a Parliament. Government and Parliament soon quarreled, and the former dispensed with the assistance of the latter. On the resignation of the “first Fijian Ministry,” Thurston was called to office by Europeans and natives alike, becoming “chief secretary and minister for foreign relations,” and was nominated as special adviser to the king and chiefs for arranging terms of cession with Sir Hercules Robinson. Thanks largely to his good offices the negotiations were successful, and Fiji became a Crown Colony in 1874. Sir Hercules Robinson was so much impressed by Thurston’s ability that on his recommendation the Secretary of State appointed the late “minister for foreign relations” to be the first Colonial Secretary in the new administration. As such he

successfully administered the government on more than one occasion, and eventually Sir John Thurston, K.C.M.G., spent the last nine years of his life as Governor of Fiji and H.M.'s High Commissioner for the Western Pacific.

The internal history of Fiji since its annexation has been uneventful, though at the beginning it was the cause of considerable trouble to the Colonial and Foreign Offices. German land claims gave rise to much diplomatic correspondence, but were eventually settled after a joint and detailed investigation by officials of the Colonial Office and the German Government. Before annexation a United States Consul, while freely celebrating his national festival, set fire to his house, and in the confusion some pilfering occurred. The Consul's claim against the native government speedily swelled to amazing dimensions; but though an energetic naval officer attempted to collect the debt by an intimation that "his powder was swift and his balls were round," it remained unsatisfied, and considerable diplomatic effort was needed before the claim was finally adjusted.

The Pacific Islanders Protection Act of 1872 had given powers to the Supreme Court of any Australian Colony to punish any British subject for decoying natives or enlisting them against their will, and provided for the licensing of all vessels engaged in the labour trade. On the annexation of Fiji a further Act was passed, under the authority of which an Order-in-Council—the first of a series—was issued in 1877, creating a High

Commissioner for the Western Pacific and a High Commissioner's Court with elaborate provisions for its judicial functions. The High Commissionership was attached to the Governorship of Fiji and, save for a brief period, has so remained.

The Commission in its early years had but a very moderate measure of success, for more than one reason. The funds voted by Parliament (£3,000 to £5,000 per annum) were utterly inadequate to provide for efficient supervision of groups of islands extending over an area measuring 3,500 miles from east to west by 2,500 miles from north to south. The High Commissioner had jurisdiction solely over British subjects, and could take no cognizance of offences by natives against Europeans or by foreigners—a one-sided state of affairs that provoked indignation throughout Australia. Some of the provisions of the Order were so framed as to defeat their object, and the penalties provided were often either inadequate or inapplicable. Before the passing of the Order, the Navy had to some extent meted out rough and ready justice; but such proceedings were now technically illegal, and an "act of war" was the only remedy open against natives who were not British subjects.

The decay of the recruiting trade has removed the abuses at which the first Order-in-Council was aimed, and as the result of successive Orders decent conditions now obtain throughout the High Commissioner's jurisdiction. British Protectorates have been proclaimed over various groups of islands, one of which—the Gilbert and Ellice group—has been erected into a Colony, and others have come under

- New Zealand or Australia, which have thus begun to follow in the footsteps of the mother country by controlling distant dependencies. New Zealand administers the Kermadec islands, Rarotonga and the Cook islands, the Ross Dependency (stretching towards the South Pole) and the mandated territory of Western Samoa. Australia is responsible for Papua (the British portion of New Guinea), the mandated territory in New Guinea and former German islands in the Pacific, as well as for Norfolk Island and Lord Howe Island.

The two principal Protectorates under the High Commissioner's jurisdiction differ widely in their conditions. In the Solomon Islands British planters and traders now operate on a considerable scale. The administration is under a Resident Commissioner with a Government Secretary, District Officers, Medical Officers, Magistrate, Customs Officer, Crown Surveyor, Government Hospital, and the other machinery of civilized government, including wireless operators. The natives are still in a rudimentary state of civilization, and have not yet been wholly weaned from head-hunting and cannibalism. The Tongan (or Friendly) Islands, on the other hand, can boast of a royal dynasty (the present monarch is a Queen whose Premier is her Prince Consort), a Parliament with its Speaker, a Privy Council and Ministers. One attribute of civilization it lacks, by having no public debt. Its annual revenue fluctuates, but is in the neighbourhood of £80,000, and its total trade approaches half a million sterling. The High Commissioner is represented by an Agent and Consul.

At one time the Premier was a European, an ex-Wesleyan minister ; but the reverend gentleman, having founded a Free Church of Tonga, fervently persecuted his former co-religionists, and deported many of the stout-hearted who refused to forsake their Church. The High Commissioner (Sir John Thurston) eventually had to intervene and, after enquiry, treated the Premier to a dose of his own medicine by banishing him for two years. In 1900 a treaty was concluded with the king whereby his territory was placed under British protection. Five years later another High Commissioner had again to intervene, as the administration had fallen into disorder ; but the deportation of the Premier and the Treasurer brought things into order once more, and for the last 20 years peace has reigned in Tonga.

The New Hebrides have for nearly 50 years formed the subject of diplomatic discussions, and from 1887 onwards have more than once found a place in Conference agenda. The French had established trading interests there—oddly enough, owing to the activities of an ex-British subject. Australia had always viewed with great disfavour the French penal settlement in New Caledonia, and occasional reports of the escape of convicts and their arrival on the mainland kept their grievance alive. In 1877 their press was advocating the annexation of the New Hebrides to forestall possible French action, and the French Government promptly demanded from the British Government a statement of their intentions, intimating that they did not propose themselves to annex and expected Great Britain to adopt a similar attitude. Both

Governments then agreed to respect the independence of the islands, with results that might have been anticipated in the absence of any settled administration to control the relations of a mixed European population with many thousands of natives. In 1886 the British Government were sounded as to a French annexation, on the understanding that no more French convicts would be sent to the Pacific ; but the Australian Colonies strongly objected, and the proposal lapsed. Meanwhile disorders and land disputes continued, and Australian anxiety increased when, on one occasion, French troops were sent to the islands in consequence of native disturbances. In the presence of a political deadlock no satisfactory solution could be found ; for Australia was quite clear that French annexation was inadmissible, while the French declined to be bought out on any terms that the British Government would have felt justified in offering. As a compromise, a joint Commission was set up ; and after years of protracted and leisurely negotiations an agreement was concluded between the two Governments in 1914 whereby the New Hebrides were to form a region of joint influence in which their citizens should have equal rights, each Power retaining jurisdiction over its own nationals and neither exercising a separate control over the group. Each country appointed a High Commissioner for the islands and a Joint Court was established, composed of a British and a French judge with a third nominated by the King of Spain. All that can be said of the arrangement is that if it satisfied the diplomatists it has given satisfaction to no one else.

Chapter XV

SOUTH AFRICA

IN the annals of the Colonial Office its relations with South Africa stand apart. Nothing even remotely resembling them is to be found in any other part of the Empire. With the grant of self-government to Western Australia in 1890 the Office bade an administrative farewell to the Australian continent ; it had done the same to North America twenty years before, and forty years before to New Zealand. But in South Africa, though the Cape received responsible government in 1853, and Natal forty years later, the Colonial Office has uninterruptedly retained an ample measure of activity. South Africa has fully lived up to the traditional reputation of the continent as the home of surprises (usually unpleasant) ; and in modern times a whole generation saw no year go by that did not bring trouble to the British Government, and hard and anxious work to the Office. Native risings and native grievances, disputes with foreign Powers and foreign intrigue, internal dissensions among the white inhabitants—all cast their contributions into the witches' cauldron that bubbled unceasingly in South Africa, until it finally boiled over and out of War came Peace.

What is South Africa ? It used to be considered

that its natural boundary to the north was the Limpopo River; but when Cecil Rhodes appeared on the scene, and Southern Rhodesia came into being, the boundary receded to the Zambesi. Economically Southern Rhodesia looks south and east, and may one day look west also, but not north; and its political future is bound up with the fortunes of the south. When the issue was placed before the white inhabitants, they wisely chose to begin their career of self-government in political independence; and it is clear that with increase of population and development of resources they will one day be in a position, if they so desire, to enter the Union of South Africa on very different terms from any that they could reasonably demand to-day.

And Northern Rhodesia? The name and the railway link it to Southern Rhodesia, but there the connexion seems to stop. Administered, at heavy pecuniary loss, by the British South Africa Company until 1923 when, as part of the settlement with that Company, the usual machinery of Colonial government was set on foot, the territory is, of course, still in its political infancy—nearly 300,000 square miles inhabited by 4,000 whites and a million natives, and dependent for its financial solvency upon loans from the British Treasury. Economically, it can hardly afford to look south; and it is possible that the future may have in store a Central African Federation, composed of Kenya, Uganda, Nyasaland, Tanganyika and (at any rate) North-Eastern Rhodesia, which would look definitely eastward.

In South Africa, the Officer through whom the administrative work of the Colonial Office has been performed is the High Commissioner. The office was first constituted in 1878; in the following year a second High Commissioner was appointed and put in charge of affairs relating to Zululand and Tongaland; but he was superseded in 1881, when a Special Commissioner for Zulu affairs was appointed, and the post was combined with that of Governor of Natal. Zululand and Tongaland were, however, absorbed into Natal in 1897, and the Special Commissionership consequently disappeared. The High Commissionership, as it now exists, dates from 1889, when it was combined with that of the Officer Administering the Government of the Cape. In 1900 it was transferred to Lord Milner personally, afterwards to the Governor of the Transvaal, and in 1910, on the formation of the Union of South Africa, to the Governor-General of the Union.

The Officer occupying the post thus has a dual personality. As Governor-General he is, as representing the Sovereign, the constitutional head of the Dominion, acting on the advice of his responsible ministers. As High Commissioner he is entirely independent of them, and has been responsible solely to the Secretary of State for the Colonies. He has his separate staff at his headquarters, and is the supreme authority over the territories outside the Union—Basutoland, the Bechuanaland Protectorate and Swaziland—for which he legislates by Proclamation. Without interfering in the administration, he had certain powers of control over

the administrative acts of the British South Africa Company in Rhodesia; and even when Southern Rhodesia obtained self-government in 1923, certain of his functions and duties in respect of native administration were retained, and the native reserves remained vested in him.

By far the most important, as it was the most trying and responsible, of the High Commissioner's duties was, prior to 1899, the conduct of British relations with the two republics—the Orange Free State and the South African Republic.

Impelled by resentment against the policy of the British Government in South Africa—which was believed, with some reason, to be swayed by missionary influences—and in particular against the derisory compensation offered to them in connexion with the abolition of slavery, a portion of the Dutch inhabitants of the Cape determined in 1836 to shake the dust from off their feet and, abandoning their homes, to pass into the unknown wilderness where the hated British flag could not follow them. The "Great Trek" took them first to Natal, where they came into conflict with the Zulus and suffered heavy losses, but in two years had made their position good. Hardly had they done so when British troops appeared on the scene, for in the meantime the Governor of the Cape had sent a military detachment to take possession of the country. The Boers (Dutch for "farmers") offered armed resistance, but after an initial victory were forced to submit. The majority again moved on to escape the flag, trekking into the Orange River territory and, in part, across the Vaal. Again the

flag followed, and in 1848 the former once more found themselves *de facto*, as they had been considered to be *de jure*, British subjects. Six years later, however, the home Government decided to abandon the territory; by the Convention of Bloemfontein British sovereignty was withdrawn, and the independence of the Orange Free State was recognized.

Save for conflicts with the Basuto, who lost their best lands in consequence, the new Republic had a fairly peaceful existence for the next 45 years. It was fortunate in having as its head President Brand, who achieved a wide and well-deserved reputation as a wise and moderating influence in South Africa. After his death the State began to draw closer to its northern neighbour, and in 1889 it concluded an alliance with the South African Republic. Nevertheless its relations with the High Commissioner continued to be not unfriendly, and there was but little occasion for correspondence between them. Commercially, the Orange Free State looked rather to the south; for since 1889, when the Cape Government completed and worked a main line of railway from Cape Town to the northern border of the State, it had joined itself to the Cape and Natal in a Customs Union. But in 1897, when the political stormclouds were already gathering, the alliance with the South African Republic was renewed; with the result that, when war broke out in 1899, the State ranged itself on the side of the sister republic, and relations with the High Commissioner were finally terminated.

The emigrant Boers who had trekked beyond the Vaal met with no interference from the British Government when the latter annexed the Orange River territory in 1848; and in 1852 an agreement—the Sand River Convention—was concluded with them whereby their right to manage their own affairs was recognized. At that time the emigrants formed three independent communities, who united in 1858 under the name of the South African Republic. The infant State had for some years a chequered career; but when in 1873 it chose as its President a Cape clergyman—the Rev. Thomas Burgers, who was thought to be a man of moderate and enlightened views—it was hoped that better days were in sight.

The result was far otherwise. First a dispute with Cetshwayo, the Zulu king, and later a disastrous conflict with Sikukuni, a Bechuana chief to whose territory the Republic had laid claim, brought about the bankruptcy of the country and the collapse of its Government. Their complete defeat by an insignificant and comparatively unwarlike tribe aroused dangerous excitement among the natives everywhere; and in 1877 the British Government, deeming the peace of South Africa to be in danger, sent out Sir Theophilus Shepstone as Her Majesty's Special Commissioner to watch events on the spot, and to take such action as might be necessary to preserve the general peace. On a review of all the circumstances, he decided that the only course was to proclaim the Queen's sovereignty, and his Proclamation was approved by his Government.

The annexation was effected peaceably enough,

and indeed with the secret acquiescence of the President and nearly all of his Executive, but it aroused widespread antagonism. Two deputations were sent to England to protest and to demand its withdrawal, but were met with a decided refusal.

In December, 1880, the Boers took up arms. • It is at least doubtful if they would have done so had their chief danger not been removed by the British Government. For many years the Zulu menace had hung darkly over them; but in 1879 the English had broken the Zulu power, and on that side they were now free from anxiety. Parenthetically, and without going into details, it was a fixed article of belief among the men at the Colonial Office in those days who had followed the sequence of events that, had they been allowed by the Treasury to pursue a more liberal financial policy in the Transvaal, there would have been no war, and the subsequent history of South Africa would have been very different. Be that as it may—and beyond a doubt the Boers had good cause for dissatisfaction with the unsympathetic character of the new administration and the failure to redeem promises made at the annexation—war came; and the brief campaign that followed was as inglorious as anything in British military annals. It was a story of unrelieved disaster; and though the reverses, judged by a later standard, were insignificant in themselves, and the reinforcements on the spot or on their way were sufficient to have overcome all resistance, the spectacular victory of the Boers at Majuba, with the death of the British General, resounded through and beyond South Africa. It

filled the Boers with a belief in the impotence of the British army, and a conviction of their superiority over any forces that could be brought against them.

A new Government had just come into power at home; if the Transvaal were as valuable as I know it to be worthless I would still say "Give it up," said their leader; and they hastened to patch up a peace which was, and could be, no peace. By the Convention of Pretoria, the Transvaal recovered self-government as regards its internal affairs, the control and management of its foreign relations being reserved to Her Majesty as "Suzerain"; but they were to receive a British Resident, with quasi-diplomatic status and functions, who was to have considerable powers for the protection of native interests within the State, and was to be the medium of communication between the Transvaal Government and the natives on its borders.

The Convention, though ratified under protest by the Transvaal legislature (Volksraad) worked as such a Convention might have been expected to work, and for 18 years the Transvaal was the storm centre of South Africa. Natives beyond its border—especially the Bechuana—were harried by freebooters from the Transvaal whom their Government made no serious effort to restrain. Protests against the Convention were made, to which the British Government, seeking peace by impossible methods, in great measure gave way, while retaining enough to leave Boer dissatisfaction unimpaired. The Convention of Pretoria was replaced by the Convention of London in 1884. The word "suzerain" disappeared from the body of the

instrument (whence, thereafter, much shedding of diplomatic ink); the British Resident also disappeared, and with him all control over native affairs, being replaced by a "British Agent" with diplomatic functions under the direction of the High Commissioner with whom, as representing the British Government, he corresponded.

Prior to its successful accomplishment in 1909, at least two abortive efforts had been made to bring about confederation in South Africa. The idea took possession of Sir George Grey who, after having administered the governments of South Australia and New Zealand, was sent in 1853 as Governor of the Cape. He so far succeeded as to obtain from the Volksraad of the Orange Free State a resolution in favour of federation with the Cape, and his reward was a censure from the Secretary of State for the Colonies (Sir E. Bulwer Lytton) for acting without official permission. He was recalled; but before he reached home the Ministry had fallen, and the new Secretary of State (the Duke of Newcastle), on the intervention of the Queen, sent him back—but with instructions to abandon his federation policy.

In 1875 Lord Carnarvon—who was then Secretary of State for the Colonies, and who, as Parliamentary Under-Secretary, is said to have influenced the official condemnation of Grey—tried his hand at confederation, inspired thereto by the success of that policy in Canada. He proposed to the Governor of the Cape that delegates of the South African States should meet in conference to discuss

policy and matters of common interest and, if opportunity arose, the question of a possible union of South Africa in some form of confederation; and he nominated Mr. J. A. Froude as the British representative. The Cape ministry were unfavourable (Froude's nomination not having predisposed them to acceptance), and the proposal lapsed, being replaced by another suggestion, put forward by the Secretary of State, for a conference between himself and leading South Africans. The conference was held, but was not a success; the Cape Premier, though in London, declined to attend; the Transvaal sent no delegate; and the President of the Orange Free State came bound by a mandate not to discuss federation.

Undaunted by these failures, Lord Carnarvon drafted a Permissive Bill, which he passed through Parliament in 1877, providing for the union under one government, and under the British Crown, of any Colonies and States in South Africa that wished to avail themselves of the permission. Simultaneously he sent out Sir Bartle Frere, who had had very distinguished service in India, as Governor of the Cape and High Commissioner for native affairs—and sent him with the private expression of his hope that within two years Frere would be the first Governor-General of a united South Africa. The new Governor landed to find that Shepstone had annexed the Transvaal; but this step, which should have rendered his task easier, put an end by its consequences to all hope of confederation.* The

* The Government inflicted on Frere the indignity of censuring him in connexion with the Zulu war, and announcing the censure

first Transvaal war, while inflaming animosities which had been dying down, left abandoned loyalists and successful rebels, as well as their sympathisers on either side, with one feeling in common—that of bitter resentment against the British Government. Incident after incident alternately elevated and depressed the hopes of those who clung to the British connexion; and it was not until Mr. Joseph Chamberlain had come to the Colonial Office and had sent Sir Alfred Milner to South Africa that they found any grounds for confidence in British policy.

From time to time the home Government had shown signs of energy. The freebooters who invaded Bechuanaland were swept out by a costly expedition under Sir Charles Warren in 1885; the greater part of Zululand was rescued from the South African Republic and annexed in 1887; Rhodes had begun to lay the foundations of a State beyond the Limpopo, and obtained his Charter in 1889; a threatened Boer invasion of that country was averted in 1890 by an unwonted show of firmness; the attempt of the South African Republic to get in touch with the non-British world, by stretching to the sea, was defeated by the annexation of the territories of Zambaan and Mbigesa. But in other directions the Government seemed to be steadily losing ground in what, to the public mind, had become a duel between them and the South African Republic. In spite of the Convention of 1884 they

in the House of Commons before he heard of it; and they recalled him in 1880. He took away with him the high esteem of his colonial fellow-countrymen, returning to England to find himself out of favour with both political parties, and another illustration of the maxim that South Africa was the grave of reputations.

allowed the latter to annex part of Zululand in 1888, and to gain a commanding position in Swaziland which they eventually handed over "without annexation" to its administration. Protests against alleged breaches of the Convention were ineffective, and their futility seemed to emphasize the decay of British influence.

Of the details of the prolonged controversy that led to war with the two Republics—important as they are to any account of Colonial Office work—nothing shall be said here. In view of the wonderful outcome of that war, one would gladly forget the history of those years and look only to their results. One thing only shall be said: never did the British Government and people embark on a struggle with greater belief in the justice of their cause, and the belief was shared by those free communities beyond the seas who, with no personal interests at stake, gave it their material and moral support.

Of all the strange things that have come to the world out of Africa, surely none have been more strange than the results of the trust reposed in their late enemies by the British Government when they hastened to confer on them full self-government, and soon promoted a Union which shifted the centre of political power to the Transvaal. It would be incredible, if it were not true, that the young State Attorney of the South African Republic (recognized by the British before the war as their ablest adversary) should develop into a skilful military leader and conduct a notable resistance to overwhelming forces; should become a Lieutenant-General in command of a British army, and a

Prime Minister of a united British South Africa ; should be a spokesman of Great Britain in the most momentous discussions in history ; should command attention throughout the world for his lofty exposition of political ideals ; and should publicly declare himself a believer in the British Empire as the greatest human institution on earth. His view of that Empire was given to the Conference of 1917 as being "the most important and fascinating problem in political and constitutional government that the world has ever seen. We are the only group of nations that has ever successfully existed. People talk about a league of nations and international government, but the only successful experiment in international government that has ever been made is the British Empire, founded on principles which appeal to the highest political ideals of mankind."

No less strange and suggestive is the career of his leader and predecessor. The Generalissimo of the Boer forces, who signed the treaty of Vereeniging, was to be found, 5 years later, sitting at the Conference table, as Premier of the Transvaal, with the man who had led an armed raid into his country and who was now Premier of the Cape. To use his own words, he wished his presence to be taken as a proof that the old Dutch population of the Transvaal would work equally loyally with the English population for the welfare of the Transvaal and of the whole British Empire, and he came with the fixed purpose of assisting to forward the interests of the various portions of that Empire. He reappeared at the next Conference as Prime Minister

of the Union of South Africa ; and in taking leave of it he described it as having been a Conference of trust, and of friends, which had called into life a friendship that must lead to better co-operation than had ever been seen in the past.

He was soon to give proof that these were no idle words. When war broke out he took the first opportunity to procure from his Parliament an address of loyalty to the King. Invited by the Secretary of State for the Colonies to undertake—as an important contribution to success in the war—the reduction of German South-West Africa and the seizure of its great wireless station, he unhesitatingly accepted the task, and determined to ensure its success by taking the field in person. Neither the dubious attitude of many of his people, nor the open treason of others, could make him flinch from his conception of duty—the duty of keeping faith at all costs with those who had trusted him. He met the waverers face to face, and by a striking and manly address brought them to his side. He led his forces against the rebels and hunted them down, though it must have been the bitterest moment of his life when he had to turn his weapons against old friends who had fought by his side against an enemy for whom he was now in arms. He headed an arduous campaign against the Germans, and at its successful conclusion flung himself again into his political duties, regardless of his failing health. He literally gave his life for his people and for the Empire, which was the poorer for the loss of a very noble and gallant gentleman when Louis Botha died.

Chapter XVI

COLONIAL CONFERENCES*

THE year 1887 was the year of Queen Victoria's Jubilee; visitors from all parts of the globe were coming to attend its celebration, and the Government determined to take advantage of the occasion for personal conference with representatives of the self-governing Colonies.

The Queen's speech, proroguing the Parliament of 1886, had stated:—"I have observed with much satisfaction the interest which, in an increasing degree, is evinced by the people of this country in the welfare of their Colonial and Indian fellow-subjects, and I am led to the conviction that there is on all sides a growing desire to draw closer in every practical way the bonds which unite the various portions of the Empire. I have authorized communications to be entered into with the principal Colonial Governments with a view to the fuller considerations of matters of common interest."

The Secretary of State for the Colonies (Edward Stanhope) thereupon addressed a despatch to the self-governing Colonies. The Government had come to the conclusion that the Queen should be

* A useful summary of the Conferences mentioned in this and the next chapter, and of action taken on the Resolutions passed therein, will be found in the Introduction to "The Colonial Office List."

advised to summon a Conference to meet during the following year in London, at which representatives of the principal Colonial Governments would be invited to attend for the discussion of those questions which appeared most particularly to demand attention at the moment. That which was at once urgent and capable of useful consideration was organization for military defence. The patriotic action of the colonies in offering contingents to take part in the Egyptian campaign had made a deep and lasting impression on the public mind, and the time had now arrived when an attempt might be made to attain a better understanding as to the system of defence which might be established throughout the Empire. It was not the intention, in calling the Conference, to commit either the Imperial Government or any colony to new projects entailing heavy expenditure, but rather to secure that the sums which might be devoted to that purpose might be utilized to the fullest extent, with complete knowledge of all the conditions of the problem. Next in importance, the development of Imperial intercommunication should be considered as a whole, in order that the needs of every part of the Empire might, as far as practicable, be provided for.

“I should deprecate,” he wrote, “the discussion at the present time of any of the subjects within the range of what is known as Political Federation. There has been no expression of Colonial opinion in favour of any steps in that direction; and Her Majesty’s Government are of opinion that there would be no advantage in the informal discussion

of a very difficult problem before any basis had been accepted by the Governments concerned, and it might be detrimental to the ultimate attainment of a more developed system of united action." Her Majesty's Government desired that the constitution of the Conference should be sufficiently comprehensive to include, in addition to the Agent-General or other specially deputed representative of each Government, any leading public man who might be at liberty to attend, and might be specially qualified to take a useful part in the deliberations. "However modest the commencement may be, results may grow out of it affecting, in a degree which it is at present impossible to appreciate, the interests of the Empire and of the civilized world."

Thus, what the Secretary of State had in contemplation was a Conference, not merely of Governments but rather of leaders of thought, and moreover a Colonial Conference in the full sense of the term. Simultaneously he sent a despatch to Governors of Crown Colonies in which he said that it was the wish of Her Majesty's Government that, in the discussion of these questions, the interests of all the colonies should be duly considered at the Conference; and in the case of any Crown Colony which might not send a special representative, he would take care that proper provision was made for securing such consideration. If a Governor was able to furnish the name of any high officer or leading public man connected with his colony who was likely to be in London at the time, the Secretary of State would be able, should circumstances render it desirable, to arrange for his presence at

the Conference on any occasion on which matters specially affecting the colony were likely to come under discussion.

Accordingly, numerous representatives of Crown Colonies attended the opening meeting in the Conference room of the Foreign Office, and listened to the ceremonial speeches; but, as events turned out, they took no share in the subsequent deliberations, and the Conference was confined to representatives of the home Government and of the self-governing components of the Empire.

Imperial defence, as indicated in the Secretary of State's invitation, took the foremost place in the discussions. A sudden reorganization of the Government had removed Mr. Stanhope from the Colonial Office, but he attended the Conference as Secretary of State for War. Observing that "it is only quite recently that we here in England have attempted to take a comprehensive view of our Imperial duties in this respect," he gave the Conference a review of work done, or in contemplation, to improve the "defences of the coaling stations abroad. It was agreed that a British officer should be sent to inspect the local forces and defences of Australia, and in the result his report gave a powerful stimulus to the movement towards Australian Federation, by demonstrating the weakness of existing arrangements for defence purposes. On the naval side an important agreement was made for increasing the Australasian squadron—important as recognizing the principle that the whole financial burden of naval defence should not fall exclusively on the United Kingdom.

Several other matters came under consideration—Bankruptcy Orders, the enforcement of colonial judgments in other parts of the Empire, Merchandise Marks, Sugar Bounties, and the Prerogative of Mercy. This last was exercised in Canada by the Governor-General on ministerial advice, and some Australian Colonies wished their Governors' Instructions to be modified in this sense, but opinions were divided.

South Australia which, like other colonies, had had a severe struggle with the Imperial Government before getting marriage with a deceased wife's sister legalized—on four occasions the Royal Assent to its Bills had been refused—pressed the British Government to recognize the validity of marriages so legalized for the purposes of inheritance in Great Britain; but Canada, New Zealand, the Cape and Western Australia refused to join in the request; they had their own laws, and were quite willing that the people of England should retain their laws until they saw a necessity for changing them.

An agreement was made with Queensland respecting Eastern New Guinea. Four years previously, when that Colony had hoisted the British flag there to prevent annexation by a foreign Power, the act had been repudiated by the British Government who, however, in the following year—Germany having meanwhile appropriated the northern half—had declared a Protectorate over what was left, in consideration of a pecuniary guarantee by Queensland, New South Wales and Victoria of £15,000 a year. It was now arranged that the country should be annexed, Queensland

making itself responsible for the guarantee and the home Government contributing £29,000 in the shape of a steamer and its maintenance for three years.

The Colonial representatives wished for an alteration in the Queen's titles so as to include a reference to the Colonies, and unanimously agreed that the formula once used in a Proclamation of 1858 should be adopted: "Queen of Great Britain and Ireland and of the Colonies and Dependencies thereof, and Empress of India."

New Zealand asked that Australasia should be placed in the position accorded to Canada since 1878, whereby the Colonies would be allowed to negotiate commercial treaties with foreign Powers under the sanction and supervision of H.M.'s Ambassador; but both Australia and the Cape deprecated the suggestion. Mr. J. H. Hofmeyr considered that the proposal pointed to foreign nations having in certain parts of the British Empire advantages over other parts of the Empire, and he observed that "this is not the way to promote the unity and solidarity of the Empire, but rather the reverse."

Mr. Hofmeyr was perhaps the most interesting figure at the Conference. The popular conception of him in political circles in this country was that of a man who, refusing to come into the open by accepting Ministerial office at the Cape, remained in the background and pulled the anti-British strings in South Africa. At the Conference he revealed himself as an Imperialist, and the proposal which he made and developed there is

remarkable as the first constructive effort to find a common basis for the fiscal policy of the Empire. It was that, without disturbing any tariff, a surtax of, say, 2 per cent. should be levied on foreign goods in all Imperial and colonial tariffs—the proceeds to form a defence fund; and he explicitly stated that one of his objects was the promotion of closer union.

The effect of the Conference was immediate, profound, and far-reaching. Important as were its direct results, they were dwarfed by those indirectly attained. The mere invitation had greatly impressed the delegates, as their opening speeches showed. The deep distrust, unhappily too often justified, of British colonial policy gave place to a feeling that at long last British Governments were awakening to the true value of the colonies and to the possibilities of an Empire united by other ties than those of common kindred and common allegiance. It is almost incredible now that even at this Conference the Natal representative could allude with anxiety to the idea, "repeatedly brought to his notice from several quarters," that South Africa, or at any rate Natal, might conceivably be abandoned by Great Britain. To those who have had the opportunity of closely watching events before and after 1887, it must seem that this memorable Conference cleft an impassable gulf between the two. The whole atmosphere was changed. Difficulties that in the past might have been fomented rather than removed by tedious and protracted correspondence could be adjourned for adjustment by personal discussion. Henceforth

the Colonies had an ideal towards which they could strive, in the expectation that as active partners in the Empire their political and material development would bring with it an ever increasing share in the direction of its policy as well as in its responsibilities.

The anticipations with which the delegates left the Conference were well expressed by its senior member—Sir Samuel Griffiths, the Queensland representative—in closing the proceedings:—"It has occurred to me that this Conference has had, in itself, many of the essential elements of a Parliament. . . . It is impossible to predict now what form future Conferences should take ; but I think we may look forward to seeing this sort of informal Council of the Empire developed until it becomes a legislative body, or at any rate a consultative body, and some day perhaps a legislative body under conditions that we cannot now foresee, and that, indeed, meetings such as this will before long be recognized as part of the general governing machinery of the Empire."

Much of the success of this Conference was due to its President, the Secretary of State for the Colonies, and it is hardly too much to say that it lay with him to make or mar it. Mr. Stanhope had been suddenly transferred only a few months before its assembly, and the Government made a singularly happy choice when they selected Sir Henry Holland (afterwards Viscount Knutsford) as his successor. He had the unique distinction of returning to the Colonial Office as Secretary of State after having been a member of its permanent staff—he had been an Assistant Under-Secretary of State from

1870 to 1874—and his charm of manner, added to his acquaintance with Colonial affairs, made him an ideal President. The impression which he made on the delegates is reflected in the address which they presented to him at the close of their proceedings:—

“We feel that we ought not to leave England without expressing our high appreciation of the mode in which you have presided at the meetings of this, the first official Conference between Her Majesty’s Ministers and representatives of Her Majesty’s dominions abroad. The occasion was most important, and the task, though to you easy, would have been with most others attended with considerable difficulty. The members of the Conference represented countries which, though united by loyalty to the Throne, nevertheless had interests and entertained views not always identical, and a combination of ability, firmness and tact was required to bring their deliberations to anything like a unanimous issue. The possession of these qualities, coupled with your intimate knowledge of Colonial affairs, has enabled you to achieve this result, and it must be pleasing to you to know that we shall return to our own lands with feelings of the warmest personal regard for yourself, and with our affection for the Mother Country, if possible, increased.”

The Colonial representatives had taken away with them a clearer insight into the future than was possessed by Her Majesty’s Government. To the latter the Conference had been an isolated event—a by-product, as it were, of certain happenings at

home. Ten years were to elapse before they summoned another Conference, and twenty years before they arrived at the conception of periodical Conferences as part of the machinery of Empire.

In the absence of any move by the Imperial Government, the Canadian Government took the initiative, and in 1894, on their invitation, representatives of Canada, the home Government, five Australian Colonies and the Cape met at Ottawa to consider certain questions of common interest. The Earl of Jersey, who had just resigned the Governorship of New South Wales, represented the British Government, taking with him a member of the Colonial Office staff as his secretary. The subjects discussed were trade relations in the Empire, the possibility of improved mail and passenger steamship services, and the establishment of an all-British cable between Canada and Australia. This last question had come before the Conference of 1887, which had asked the British Government to carry out a survey of the route. The survey had actually been begun, but had been dropped in 1890, and much disappointment was expressed in Ottawa that the request of that Conference had been so imperfectly met.

The Ottawa Conference believed that more intimate trade relations would draw closer the bonds uniting the colonies and the mother country, and it urged the advisability of a customs arrangement between Great Britain and her colonies to put trade within the Empire on a more favourable footing than that with foreign countries. The Colonial members of the Conference were anxious for Im-

perial legislation to enable the Dependencies of the Empire to enter into commercial reciprocity agreements with Great Britain or with one another, including power to frame differential tariffs. It had been recognized in the Conference of 1887 that this was not practicable so long as certain treaties with Belgium and Germany were in existence, and the Ottawa Conference asked for their denunciation.

The year 1897 saw a second Conference in London—again as a by-product. The occasion was the Queen's Diamond Jubilee; and the Secretary of State for the Colonies (Mr. Joseph Chamberlain) invited the Premiers of Canada, the six Australian Colonies, New Zealand, Newfoundland, the Cape and Natal to discuss with him, informally, certain Imperial questions. Only his speech, an address by the First Lord of the Admiralty, and the general results were made public.

Mr. Chamberlain explained that he had decided to keep the proceedings informal because there was no desire to detract from the personal character of the visit, or to take advantage of their presence to force on them discussions on which they might be unwilling at the moment to enter; but he was open to consider any representations, and was rather in the position of desiring to learn their views than of pressing those of Her Majesty's Government. Nevertheless he suggested a few matters for joint consideration.

The most important of all subjects were the future political and commercial relations between the self-governing Colonies and the United

Kingdom. As regarded anything in the nature of federation of the Empire, the matter depended entirely on the feeling in the Colonies. "Here," he said, "you would be met half way; the question is whether, up to the present time, there is such a genuine popular demand for closer union as to justify us in considering practical proposals to give it shape." He offered the idea, as a personal suggestion, that it might be feasible to create a great "Council of Empire" to which the Colonies would send representative plenipotentiaries—not mere delegates—who from their standing and position would be able to give, on all subjects submitted to them, really effective and valuable advice. "It might slowly grow to that Federal Council to which we must always look forward as our ultimate ideal." The time might have come—and if not, would come—when the Colonies would wish for a true partnership and their share in the management of the Empire; but with that would also come obligation and responsibility, and some form of contribution towards expense for the common objects.

He invited the views of the Premiers on the question of contribution towards the naval defence of the Empire. Its military defence was still behind-hand, though the Colonial Defence Committee had already, with the assistance of the Colonies, accomplished a very great improvement. If war broke out it would be suddenly, and there would be no time for preparation then; therefore it was of the first importance that we should have beforehand a scheme of common defence against any probable

enemy. He threw out a suggestion for an exchange of military forces—e.g. bringing a Canadian regiment to this country for a year's training, and sending a British regiment to Canada in return.

His next question was how commercial relations could be made closer and more intimate. At the recent meeting of Australian Premiers in Hobart (held primarily for the consideration of a project for Australian federation) a desire had been expressed for closer commercial relations with the Empire. If the Colonies would like to have a Commission of Enquiry to see in what way practical effect could be given to the aspiration, Her Majesty's Government would gladly make arrangements and take part. As regarded the Belgian and German treaties, our trade with these countries was greater than our trade with all the colonies combined; but if the Colonies, after considering the effect on us and them, pressed unanimously for denunciation, Her Majesty's Government would most earnestly consider it and would give it the favourable regard that it deserved.

As to communications, Mr. Chamberlain stated that considerable effect had been given to the Ottawa resolution respecting a faster mail service. He wished to know the Premiers' views on an all-British cable. In dealing with either matter the Government were giving the most striking proof that they could of their good will and desire to meet Colonial wishes, for "neither of these proposals would have been made by us."

As the Conference was informal, it was but natural that few definite results emerged from it, though it

had done good work in advancing the consideration of the subjects referred to it. The Premiers earnestly recommended the denunciation of the Belgian and German treaties (which was forthwith done), and in the hope of improving trade relations with the Mother Country they undertook to consider with their colleagues whether such a result could be properly secured by a preference given in the Colonies to the products of the United Kingdom.

The Premiers of Australasia, with one exception, favoured the continuance of the existing arrangement as to the Australian squadron, and the Cape Premier offered the unconditional contribution of the cost of a first-class battleship.

As regards the project for an all-British cable, a Committee had been appointed in the previous year as a result of the Ottawa Conference, and the Premiers wished for time to consider its report. They were informed that the matter was not one in which Her Majesty's Government were taking the initiative, and that they would await definite proposals from the Colonies interested before proceeding further in the matter.

It was agreed that the present political relations between the United Kingdom and the self-governing Colonies were generally satisfactory under the existing condition of things. There was a strong feeling among some of the Premiers that with the rapid growth of their populations the present relations could not continue indefinitely, and that some means would have to be devised for giving the Colonies a voice in the control and direction of those questions of Imperial interest in which they

were concerned equally with the mother country. It was recognized, however, that such a share in the direction of Imperial policy would involve a proportionate contribution in aid of Imperial expenditure, for which at present the Colonies generally were not prepared.

The next Conference was held in 1902—again, and for the last time, as a by-product—the occasion being the Coronation of King Edward VII. The invitation stated that His Majesty's Government desired to take advantage of the presence in London of the Prime Ministers of the self-governing Colonies in connexion with His Majesty's Coronation to discuss with them various questions of general interest. The number of those accepting the invitation was less than before, for the Australian Commonwealth had now been constituted, and one Prime Minister replaced six State Premiers. The full report of the proceedings was kept confidential, only a summary and the text of the resolutions passed being published.

In his opening address Mr. Chamberlain boldly attacked the problem of Empire Federation. He did not hesitate to say that, in his opinion, the political federation of the Empire was within the limits of possibility. The difficulties in the way—the immense disproportion, in wealth and population, of the different members of the Empire, the distances separating them, the lack of sufficient communications—were at one time insurmountable. But, as we must put no limits to science, these might be overcome; and at all events we should

cherish this ideal of closer union in our hearts, and above all we should do nothing, then or at any future time, to make it impossible. We had no right to put by our action any limit to the Imperial patriotism of the future. The assistance given, both in men and in money, by the self-governing Colonies during the South African war was a remarkable testimony to their loyalty and their devotion to Imperial interests, and their moral support had been even more valuable as a reply to the foreign campaign of malignant misrepresentation. It would be a fatal mistake to transform that spontaneous enthusiasm into anything in the nature of an obligation which might be at that time unwillingly assumed or only formally accepted. Therefore His Majesty's Government, while they would welcome any approach to a more definite and closer union, felt that it was not for them to press it. The demand, if and when it came, must come from the Colonies, and if so it would be enthusiastically received in this country.

The burden of Empire was getting too great for the mother country, and if the Colonies were prepared at any time to take any proportionate share in the burden, His Majesty's Government were ready to meet them in any proposal for giving to them a corresponding voice in the policy of the Empire. In his opinion, the most practical form in which the object could be attained would be the creation of a real Council of Empire to which all questions of Imperial interest could be referred. It might at first be advisory, but the object would not be fully secured until executive functions, and

perhaps legislative also, had been conferred on; such a Council.

After showing the disproportionate expenditure, per head of population, on Imperial defence in the United Kingdom and in the Colonies, he invited the Conference to recognize, more fully than had hitherto been done, the obligation of all to contribute to the common weal.

On the subject of commercial relations he observed that if we chose, the Empire might be self-sustaining. At present United Kingdom trade was largely with foreign countries. The object for which His Majesty's Government would most gladly strive was a free interchange between the different parts of the Empire, and this did not necessarily preclude Customs duties. No proposal so far-reaching had come from any Colony, and up to that time nothing had come of the consideration promised in 1897 respecting a preference to British goods. Canada had led the way some years previously by voluntarily according a preference on British taxable goods imported into the Dominion, but Mr. Chamberlain observed that the results had been altogether disappointing to the home Government, and doubtless to Canada also.

The Conference of 1902 marks a stage in the history of constitutional development. It removed such gatherings from the region of the fortuitous, and it took the first step towards asserting the right of the Colonies to a consultative voice in foreign policy. Its two Resolutions on these subjects were:—

(1) "It would be to the advantage of the Empire if Conferences were held, as far as practicable, at four year intervals to discuss, between the Secretary of State for the Colonies and the Prime Ministers of the self-governing Colonies, matters of common interest affecting the relations of the Mother Country and His Majesty's Dominions over the seas." (2) "So far as may be consistent with the confidential negotiation of treaties with foreign Powers, the views of the Colonies affected should be obtained in order that they may be in a better position to give adhesion to such treaties."

On the commercial side the Conference adopted a series of Resolutions in the hope—so far doomed to disappointment—that if the Colonies showed the way the people of the United Kingdom might be led to realize the reciprocal advantages of preferential trading arrangements within the Empire. These were:—

(1) "This Conference recognizes that the principle of preferential trade between the United Kingdom and the Dominions beyond the seas would stimulate and facilitate mutual commercial intercourse and would, by promoting the development of the resources and industries of the several parts, strengthen the Empire."

(2) "This Conference recognizes that, in the present circumstances of the Colonies, it is not practicable to adopt a general system of Free Trade as between the Mother Country and the British Dominions." (3) "With a view, however, to promoting the increase of trade within the Empire, it is desirable that those Colonies which have not

already adopted such a policy should, as far as their circumstances permit, give substantial preferential treatment to the products and manufactures of the United Kingdom."

(4) "The Prime Ministers of the Colonies respectfully urge on His Majesty's Government the expediency of granting in the United Kingdom preferential treatment to the products and manufactures of the Colonies either by exemption from, or by reduction of, duties now or hereafter imposed."

The discussions on defence resulted in an arrangement, subject to legislative approval, whereby the effectiveness of the Australian squadron was greatly enhanced, Australia nearly doubling her previous contribution towards its maintenance. The other Colonies represented also increased their contributions towards the naval strength of the Empire.

In accordance with the Resolution quoted above, the next Conference should have assembled in 1906, but it was found impracticable to hold it in that year, and it met in 1907. It contained a new member—General Botha representing the Transvaal which had acquired self-government a few months previously.

As regards the subject which occupied the greatest share of attention, it was not a successful meeting from the point of view of oversea Ministers. They had left in 1902 after passing a Resolution, with the concurrence of the British Government, which recognized that preferential trade would strengthen the Empire. Before they met again a general election had taken place in this country, at which

Tariff Reform was one of the leading issues; and from the composition of the new Parliament, as well as from the utterances of the Government, the Colonial representatives must have been well aware that no support on this matter would come from British Ministers. Nevertheless they upheld their doctrine as courageously as though the issue were an open question. The subject occupied the greater part of 5 sittings out of a total of 15, and the case for preferential trade was developed at great length by the Australian representatives, from whom came a warning as to the inevitable results of forcing the Colonies to contract commercial ties elsewhere. The views of the oversea members were practically unanimous. On the other hand, a representative of the Indian Government explained why India could be no party to preferential arrangements, and the case for the Government of the United Kingdom was presented by the Chancellor of the Exchequer (Mr. Asquith, now the Earl of Oxford and Asquith) and the President of the Board of Trade (Mr. Lloyd George). The controversy is so recent, and the views on either side so well known, that it is unnecessary to make any reference here to the arguments used. One point, however, deserves passing notice. The oversea speakers energetically asserted—and their sincerity is not open to doubt—that their proposals would not have been made if they had any fear that the effect would be to enhance the price of foodstuffs to the poor of this country.

In the result the Conference reaffirmed the resolutions of 1902 as to preferential trade, with a reservation by the British Government that they

could not assent to the reaffirmation of these resolutions in so far as they implied that it was necessary or expedient to alter their fiscal system.

The Conference adopted a further Resolution—to which, of course, the Government of the United Kingdom was not a party—that the Prime Ministers present undertook to submit to their respective Governments the principle of the resolutions, and to request them to take such measures as might be necessary to give effect to it.

The British Government also found themselves compelled to refuse assent to two other Resolutions passed by the Conference. The first would have reopened the whole question of preferential arrangements within the Empire; and here the Government were supported by General Botha. The second affirmed the desirability of refusing the privileges of coastwise trade, including trade between the mother country and its Colonies and Possessions, and between one Colony or Possession and another, to countries in which the corresponding trade is confined to ships of their own nationality. A Resolution proposed by New Zealand was, however, passed unanimously:—"That all doubts should be removed as to the right of the self-governing Dependencies to make reciprocal and preferential fiscal agreements with each other and with the United Kingdom, and that such right should not be fettered by Imperial treaties or conventions without their concurrence."

A greater measure of success attended the efforts of the Conference to develop the constitutional

relations of the home Government and the self-governing Colonies—efforts which led, among other results, to a reorganization of the Colonial Office. In 1905 a despatch had been sent by the late Secretary of State for the Colonies (Mr. Lyttelton) in which he put forward the suggestion of an “Imperial Council” adumbrated by Mr. Chamberlain in the Conference of 1902. Canada had at once demurred, and the new Government, at home did not press it in any way. The proposal in its original shape did not find any favour, and the Conference soon turned to the discussion of an “Imperial Conference” with a permanent Secretariat—on a proposal put forward by the Australian Representative. There was no difficulty about the adoption of the title “Imperial Conference”; but the Australian proposal, though Mr. Deakin fought hard for it, did not meet with general support. His suggestion was that there should be a secretariat nominated by the Dominions (to use the term which emerged during the Conference) and under the control of the Prime Minister of Great Britain as head of the Conference which, in the intervals between successive Conferences, should correspond with the various Governments and, where needful, directly with the Departments at home. The Prime Minister (Sir H. Campbell-Bannerman) declined the proposal, so far as it concerned him, and Canada put a finger on the weak spot—that a secretariat formed in this way would not be under any Ministerial responsibility. As Sir Wilfred Laurier put it:—“the Colonial Office, which is already divided into departments, is

the proper Department to deal, under Ministerial responsibility, with the self-governing Colonies and Crown Colonies."

It was at this Conference that the idea of removing the "Dominions" work from the Colonial Office first came into the arena of debate. It was put forward by Mr. Deakin, and also by Sir Joseph Ward for New Zealand; and their views will be best stated in their own words, as the Colonial Office was quite unable to recognize itself in the description given of it by the former:—

Mr. Deakin said:—"It appears to me that it would be for the advantage of the Colonial Office, and it would be to our advantage, if we were dissociated altogether from the Dependencies which are governed, and admirably governed, from this Office." . . . "I do not belittle the work of the Colonial Office—it is simply gigantic—but the Colonial Office finds it necessary to omit India. It was recognized to be perfectly impossible for this Office to include the administration of that vast country with its enormous population. In the same way the Colonial Office must expect to see the self-governing communities outgrow its capacity for control, which is not capable of being indefinitely extended." . . . "You have an enormous task of administration there" (in the Crown Colonies); "but the successful administration of those Colonies calls for methods of administration and treatment and begets an attitude of mind, based on pre-suppositions and preconceptions, which cannot be escaped from but which do not at all attach to self-governing states, which are quite foreign to us, and

give us a general sense of discussing a question with persons who have already made up their minds upon it on another basis altogether. Consequently, it is no reflection to say that this great department has already ample and growing work on its hands apart from the self-governing communities, and that in course of time it must expect to see those communities, first of all relieving the Department by undertaking a good deal more for themselves, and next, by sending their despatches to the Prime Minister, where they will not be jostled in a Department over-burdened with administrative work alike and yet different in character." . . . "The whole tendency of the whole of this department, and of its officers, is to become imbued, both consciously and unconsciously, with principles of government properly applicable to the great countries with which they are dealing day by day and hour by hour, but which are very foreign, and in some cases almost antagonistic, to the principles on which the affairs of self-governing Colonies are conducted."

Sir Joseph Ward stated:—"In regard to the machinery that has existed up to now, we are not reflecting upon it in any way whatever, nor have I ever had any impression that the Colonial Office have done anything other than their duty in every possible way and with the greatest possible satisfaction to the people of our country." . . . "While I would not for a moment presume to say how it should be arranged for internally in the Colonial Office, there should certainly be a division of administration." . . . "There is a natural desire on the part of the

Governments of the self-governing Colonies to have a more distinct recognition of what we are trying to carry on in our respective spheres. To a very large extent what I want would be met if we were to get out of the position of the self-governing countries being regarded as on a par with the Crown Colonies." . . . "In view of the very important statement made by Lord Elgin as to division of the self-governing and Crown Colonies, I have only to say that I very heartily congratulate him and the Conference upon it. We have his assurance that he proposes to divide the administration of the Colonial Office in such a way as he may think best in his own Department, so that the self-governing Colonies will be treated separately from the Crown Colonies."

The last words refer to a proposal tentatively put forward by the Secretary of State (the Earl of Elgin) in the hope of meeting the views that had been expressed by different members. While he was quite firm on the point that the Conference secretariat must be under the ministerial control of the Secretary of State, and formed from within his staff, he offered to create a separate department in the Office, under its permanent head, which would deal with Dominions affairs. He put in a draft Resolution which, after being submitted to a long discussion, line by line and word by word, was eventually adopted with unanimity :—

"That it will be to the advantage of the Empire if a Conference, to be called the Imperial Conference, is held every four years, at which questions of common interest may be discussed and

considered as between His Majesty's Government and His Governments of the self-governing Dominions beyond the seas. The Prime Minister of the United Kingdom will be *ex-officio* President, and the Prime Ministers of the self-governing Dominions *ex-officio* members, of the Conference. The Secretary of State for the Colonies will be an *ex-officio* member of the Conference and will take the chair in the absence of the President. He will arrange for such Imperial Conference after communication with the Prime Ministers of the respective Dominions. Such other Ministers as the respective Governments may appoint will also be members of the Conference—it being understood that, except by special permission of the Conference, each discussion will be conducted by not more than two representatives from each Government, and that each Government will have only one vote.

“That it is desirable to establish a system by which the several Governments represented shall be kept informed during the periods between the Conferences in regard to matters which have been or may be subjects for discussion, by means of a permanent secretarial staff, charged, under the direction of the Secretary of State for the Colonies, with the duty of obtaining information for the use of the Conference, of attending to its resolutions, and of conducting correspondence on matters relating to its affairs.

“That upon matters of importance requiring consultation between two or more Governments, which cannot conveniently be postponed until the next Conference . . . subsidiary Conferences should

be held between representatives of the Governments concerned specially chosen for the purpose."

In discussing the draft of this Resolution, difficulty arose over the expression to be used to denote the component parts of the Conference other than the Imperial Government. Canada was a "Dominion," Australia a "Commonwealth"; the others were "self-governing Colonies." Sir Wilfred Laurier wished to get rid of the word "Colonies," so as to mark their difference in status from the Crown Colonies, and to "try to invent something which would strike the imagination more." He suggested "Dominions" and, after sundry technical objections had been discussed at length, the phrase "the self-governing Dominions beyond the seas" was finally adopted. Henceforth, alike in official and unofficial language, the self-governing units were known collectively as Dominions. The all-important qualifying term "self-governing" disappeared, and Dr. Johnson's definition of Dominion as "territory considered as subject" became obsolete.

Before the Conference closed, Mr. Deakin submitted another Resolution:—"That the Secretary of State for the Colonies be invited to frame a scheme which will create opportunities for members of the permanent staff of the Colonial Office to acquire more intimate knowledge of the circumstances and conditions of the Colonies with whose business they have to deal, whether by appointments, temporary interchanges, or periodical visits of officers, or similar means."

Lord Elgin, in the course of his reply, showed the practical difficulties in the way, and added :—
“I should like also to point out with regard to service in the responsibly governed Colonies that, as far as this office is concerned, we deal in no way with the local administration. That is your own affair ; you are autonomous in every respect, and it is the last thing you would wish us to interfere with. Therefore, the business which actually comes here from you depends more upon principles than upon local characteristics. I am not quite sure, I admit, that it is absolutely necessary for the performance of these duties that the men who are in charge of them should journey over the world—because they would have to journey over the world, as it is no use, in a secretariat of this kind, their taking one colony only—they must exchange from one colony to another in order to qualify themselves in all. Indeed, I rather think that if you wish to push that principle to an effective point you ought to go a little higher, and I am not quite sure that the people who, according to your principle, ought to exchange offices, would not be the Ministers.”

The Resolution was allowed to drop ; and in due course Lord Elgin sent a despatch to the Dominions setting out the reorganization that he had carried into effect, to redeem his pledge to the Conference—the formation of a “Dominions Division” within the Colonial Office (*cf.* p. 17) and the appointment of certain of its members as the secretariat of the Imperial Conference.

Though the main interest of the 1907 Conference,

from the constitutional and economic standpoints, lies in its discussion of the two subjects mentioned above, it did not separate without considering other matters of practical importance. Some of the resolutions passed could, from their nature, be nothing more than aspirations, but they paved the way for future discussion and action. On the military side, the Conference affirmed the need of developing, for the service of the Empire, a General Staff selected from the forces of the Empire as a whole, and made various recommendations for the improvement of military training and equipment. On the naval side, Australia evinced a desire to terminate the 1902 agreement, and to devote her funds to the establishment of a local force. The different aspects of naval defence were reviewed but, in the end, it was not found advisable to pass any resolutions on the subject. The importance of Imperial intercommunication was recognized by two resolutions, the first favouring alternative routes of cable communication based on strategical considerations, and the second recommending the establishment of the best practicable mail and transport service *viâ* Canada between Great Britain, Australia and New Zealand, with the necessary financial support from the four Governments in equitable proportions.

Chapter XVII

IMPERIAL CONFERENCES

IN accordance with the Resolution of 1907, the British Government called together subsidiary Conferences in 1909 and in 1910. The first was concerned with defence, naval and military, and resulted in important agreements with the Dominions for increasing the naval strength of the Empire; the second dealt with the question of uniformity in copyright law.

The first "Imperial" Conference met in 1911, when General Botha with two colleagues represented the Union of South Africa which had by then come into existence, while the Cape, Natal and the Transvaal disappeared from the Conference as separate units. The Prime Minister of the United Kingdom was now its official President, and as such Mr. Asquith presided over most of its meetings, with the Secretary of State for the Colonies in the chair in his absence. Some of its members had arrived with a certain feeling of annoyance that the Dominions had not been consulted beforehand with regard to the famous Declaration of London, and with doubts as to the wisdom of the Declaration itself; but they were appeased by the promise of the Imperial Government that henceforth, where possible, they should be consulted as regards both future meetings of the Hague Conference and the

negotiation of any international agreements affecting the Dominions. The discussion on the Declaration affords interesting reading to-day in view of what happened during the War; but the doubts of the representatives were removed by the Foreign Secretary (Sir Edward Grey) and a Resolution was finally passed approving its ratification.

A Resolution submitted by New Zealand—"that the Empire has now reached a stage of Imperial development which renders it expedient that there should be an Imperial Council of State, with representatives from all the self-governing parts of the Empire, advisory to the Imperial Government on all questions affecting the interests of His Majesty's Dominions oversea"—found no support in any quarter, and was withdrawn by its proposer. A similar fate attended a further Resolution from the same source which would have had far-reaching effects:—that the High Commissioners* should become the sole channel of communication between the Imperial and Dominion Governments, identical information being given to Governors-General and Governors.

Considerable discussion took place on the question of providing, by means of a secretariat or otherwise, for continuity in the work of the Conference in the intervals between its meetings; and Mr. Harcourt put forward a suggestion—in the hope of meeting what was assumed to be the wish of the Dominions—that there should be a "Standing Committee"

* When the self-governing Colonies became "Dominions" the designation of their agents in London—hitherto Agents-General—was changed to High Commissioners.

of the Conference, to be composed of the Secretary of State for the Colonies, the Permanent and Parliamentary Under-Secretaries, and the High Commissioners or any other representatives in their place whom the Dominions might appoint. The proposal, however, was regarded with much suspicion, as the Dominion representatives generally disliked the idea of the intervention of their officials, and the Secretary of State withdrew it.

The question of removing Dominions business from the Colonial Office was again raised, and three different proposals were put forward.

(a) New Zealand tabled a series of Resolutions, among which were:—

(1) "That it is essential that the Department of the Dominions be separated from that of the Crown Colonies, and that each Department be placed under a separate Permanent Under-Secretary"; (2) "That, in order to give due effect to modern Imperial development, it has now become advisable to change the title of Secretary of State for the Colonies to that of Secretary of State for Imperial Affairs"; (3) "That the staff of the Secretariat be incorporated with the Dominions Department under the new Under-Secretary, and that all questions relating to the self-governing Dominions be referred to that Department. . . ."

Mr. Harcourt dealt with these at some length.

After alluding to the administrative difficulties, within the Office, that would be caused by adopting the proposal to create two permanent Under-Secretaries of State—one for the Dominions and one for the Crown Colonies—he pointed out

another disadvantage. The only person who would then have knowledge of the work for the Dominions and the Crown Colonies alike would be the political head, who was liable to change at any moment, and to carry away with him his memory and knowledge, leaving only the two permanent officials, separated absolutely in duty and interest, and with no common knowledge of the two sides of the Office. Certain of the Dominions would also be adversely affected; for it would not be to their advantage that the Under-Secretary who had to deal with their work should be wholly divorced from knowledge of the proceedings in the Crown Colonies and Protectorates geographically connected with those Dominions. Nevertheless, if strongly pressed by the Conference, he was willing to accept and carry out the proposal.

The Canadian view was expressed by Sir Wilfred Laurier, the Prime Minister :—"The whole object of this motion, is, as I understand the motions that go before it, to provide a means of communication between the Imperial Government and the autonomous Governments of the Empire. Such a means of communication already exists, and, for my part, I must say that we are quite satisfied with the present system. The Colonial Office has been reorganized some three years ago, and I repeat what I said in Parliament, that in its present form it has given to us at all events, in Canada, ample satisfaction. As to whether it would be advisable to further bisect the present organization, or put it on a different political standing, though I and my colleagues are satisfied with what exists, we would

not offer any objection if the other members of the Conference are disposed to press that point. The matter is not, according to our judgment, one which we feel strongly upon, but is one upon which we should defer to the wishes of our colleagues if they thought it preferable to press it forward."

The Australian Representatives did not discuss the proposal. The Representatives of the Union of South Africa said that they found the arrangement of 1907 working very satisfactorily, and stated explicitly that they did not desire any further bifurcation of the Office.

As regards No. 2 of the New Zealand Resolutions, Mr. Harcourt briefly pointed out that "the Secretary of State for Imperial Affairs" would be unsuitable for any Office that did not include India, and indicated the difficulties attending any change of title; whereupon New Zealand at once withdrew it.

In the result the Conference abstained from passing any Resolution on these proposals.

(b) A further Resolution by New Zealand—"That it is in the interests of the Imperial Government, and also of the Governments of the oversea Dominions, that an interchange of selected officers of the respective Civil Services should take place from time to time, with a view to the acquirement of better knowledge for both services with regard to questions that may arise affecting the respective Governments"—was, after discussion, amended by substituting "visits" for "interchange"; and in this amended form it was passed unanimously after Mr. Harcourt had given instances showing that the

Department did, in fact, utilize every opportunity for arranging such visits.

(c) An important Resolution was placed on the Agenda by the Union of South Africa:—"That it is desirable that all matters relating to self-governing Dominions, as well as the permanent Secretariat of the Imperial Conference, be placed directly under the Prime Minister of the United Kingdom."

The Prime Minister, Mr. Asquith, than whom no living statesman has a better knowledge of the technique of Administration, at once made it plain that he could not accept the suggestion. He said:—"I earnestly hope that that suggestion will not be pressed. I do not know whether you realize that the office of Prime Minister in the United Kingdom is not a sinecure. I would doubt very much whether there are many people in the world who have more things on their shoulders, and I really could not, nor could anybody holding my office, conscientiously deal with what is suggested." He then quoted figures showing that for the previous year the Colonial Office correspondence on matters relating to the Dominions reached a total of 27,000, and continued:—"I am told of those at least 1,000 had to be seen by the Secretary of State. I could not do that work, and it is no good pretending I could, nor could anyone in my position. Therefore I hope that this particular Resolution will not be pushed forward. It is not from any disposition to shirk it, or indisposition to take upon myself any necessary duties, but because it could not be done."

In view of this statement General Botha at once

withdrew his Resolution which, his colleague (Mr. Malan) had previously explained, was sent in "not on account of any dissatisfaction with the present arrangements, but rather with a view of raising the status of the Dominions."

The friendly tone throughout this Conference was unmistakable. There had been a sub-acid flavour about some of the discussions in 1907 which was entirely absent on this occasion, although there was pronounced difference of opinion on several of the matters considered. Much of its success was due to the Secretary of State for the Colonies, to whose work Sir Wilfred Laurier bore eloquent testimony, as did the other members; and Mr. Asquith spoke of his colleague in terms of unusual warmth.

The outbreak of war made it impossible to hold the next meeting of the Imperial Conference at the due date (1915), and it did not reassemble till 1917. The efforts made by the Dominions during the progress of the war had necessarily affected the conception of their constitutional position in the Empire, and the changing conditions were freely recognized at home. In the interval several Prime Ministers had visited the United Kingdom, and while there had attended meetings of the British Cabinet. The new Prime Minister of Great Britain (Mr. Lloyd George) on assuming office at the end of 1916, had formed a British War Cabinet, and had summoned an Imperial Conference for the following year for the purpose of placing the whole position before the Dominion Ministers and consulting them

as to the best means of securing an early and complete victory. When the oversea representatives arrived, they were made members, on a footing of complete equality with their other colleagues, of the War Cabinet, which thereby became the "Imperial War Cabinet"; and at their departure the Prime Minister announced that the innovation had proved so serviceable to the Empire that he proposed to make meetings of the Imperial Cabinet an annual event, in the hope that it would become an accepted part of the constitution of the Empire.

Simultaneously, an "Imperial War Conference" was held, under the Secretary of State for the Colonies, Mr. (afterwards Viscount) Long, as Chairman, and as this was technically not an "Imperial Conference"—and therefore not bound by the rules as to its composition laid down by the Conference of 1907—India was included in the invitation. Its work, in immediate importance, was overshadowed by that done in the Imperial War Cabinet, but was complementary to the latter, and in the Conference it was possible to discuss and pass resolutions on various matters that could not have been adequately considered by the Cabinet. Some of its deliberations were of so confidential a nature that they could not be included, or even alluded to, in the published report.

The Constitution of the Empire formed the subject of a Resolution moved by Canada and passed unanimously:—"That the readjustment of the constitutional relations of the component parts of the Empire is too important and intricate a subject to be dealt with during the war, and that it should

form the subject of a special Imperial Conference to be summoned as soon as possible after the cessation of hostilities. They deem it their duty, however, to place on record their view that any such readjustment, while thoroughly preserving all existing powers of self-government and complete control of domestic affairs, should be based on a full recognition of the Dominions as autonomous nations of an Imperial Commonwealth, and of India as an important portion of the same, should recognize the right of the Dominions and India to an adequate voice in foreign policy and in foreign relations, and should provide effective arrangements for continuous consultation in all important matters of common Imperial concern, and for such necessary concerted action, founded on consultation, as the several Governments may determine."

The subsequent march of events led to the indefinite postponement of the special Conference contemplated in the first part of the Resolution; but the second part was of permanent value as placing on record, in advance of any formal readjustment, a doctrine already recognized by public opinion at home. The whole Resolution was fully debated, and was specially welcomed by General Smuts, representing the Union of South Africa, as negating any Federal solution of the constitutional problem. In his view the Dominions would have to be regarded as equal nations with Great Britain, and any attempt to conduct even their common concerns by an Imperial Parliament and an Imperial Executive would be to court disaster.

On the motion of Canada, the Governments concerned were invited to modify the constitution of the Imperial Conference, as laid down in 1907, so as to admit India as a member.

In another Resolution—the terms of which had previously been settled in the War Cabinet—the Conference expressed itself in favour of the principle that each part of the Empire should give specially favourable treatment and facilities to the produce and manufactures of other parts of the Empire, with the object of encouraging the development of Imperial resources and making the Empire independent of other countries in respect of food supplies, raw materials and essential industries. It also considered that the experience gained in the war had demonstrated the need, for the safety of the Empire as well as for the development of its component parts, of concerted action with regard to the production of an adequate food supply, and its transportation as required under any conditions that might reasonably be anticipated; the control of the Empire's natural resources; and their economic utilization by manufacturers within the Empire. It invited the Governments represented to consider the enactment of such legislation as might assist in carrying out these objects.

The Conference considered and concurred in a Minute addressed to the Prime Minister by the Prince of Wales, and prayed His Majesty to constitute by Charter an Imperial War Graves Commission for the purposes stated by His Royal Highness. In doing so it placed on record "its very deep appreciation of the generous action of the French

Government in allotting in perpetuity the land in that country where our men are buried.”

In spite of the engrossing interest of the war and the problems arising out of it, the Conference found time to consider and adopt practical resolutions on various matters of a different order, such as patents, the Trade Commissioner service, naturalization, double income tax, and the establishment of an Imperial Mineral Resources Bureau.

Before separating, the members recognized warmly their obligations to their Chairman; and the impressive tribute paid to him by the Prime Minister of Canada (Sir Robert Borden) is reproduced in part here, as it was no mere formality but expressive of the feelings with which he was regarded by the oversea representatives:—“The observations which I desire to make relate to a motion expressing appreciation by the members of this Conference of the labours and the service which the Secretary of State for the Colonies has given to us all. He has had a very long and distinguished career as a parliamentarian, as an administrator, as a statesman. It is but just to say that, in all matters of common concern to the Empire, he has always been characterized by exceedingly wide vision, and by a very full conception of the possibilities to this Empire of a more perfect Imperial unity and co-operation, and at the same time he has always realized the very great difficulties which lie in the path of those who undertake to bring about any great project for that purpose. We know that the Crown Colonies, not yet enjoying the full measure of responsible Government, have been the particular care and

concern of the Secretary of State, but we also realise that in him the self-governing Dominions have had a good friend and a stout champion in so far as all their interests are concerned; and the very fact that he has possessed and has always shown the wide vision and the great conception to which I have alluded makes it eminently appropriate that he should fill this high office. . . .”

In 1918 the Imperial War Cabinet and the Imperial War Conference met again. As on the previous occasion, it was not possible to make public all that passed at the Conference, but the majority of its resolutions and the greater part of its debates were published. Australia had not been represented in 1917, owing to a general election in that Dominion, but on this occasion its representatives attended, and its Prime Minister (Mr. W. M. Hughes) again brought forward the question of the “channels of communication” between the Dominions and the British Government. His views were stated with no lack of directness or vigour. The Dominions were grown sister-nations, taking their full share and responsibility in the war. The Prime Minister of the mother country was sitting in council with the Dominions Prime Ministers, *primus inter pares*. In the Imperial War Cabinet all intermediaries had been swept away and Government met Government face to face. There was a development of Imperial relations to which the old methods of correspondence were no longer applicable. The division of the Colonial Office into Dominion and Crown Colony branches was good,

so far as it went, but the change must go deeper and recognition must be given to the fact that Imperial relations had reached a stage at which, in the course of daily administration, the Dominions Governments were conferring, negotiating and transacting business with the Imperial Government, not inter-departmentally but inter-governmentally. As regards the Dominions, the present method of administration through the Colonial Office had become an anachronism, and the functions of that department were merely those of an unnecessary conduit pipe. Dominions correspondence should go direct to the Prime Minister, possibly with an Assistant Minister to relieve him of unnecessary duties. What was immediately necessary was that when the Prime Minister of a Dominion was negotiating with the Prime Minister of the United Kingdom he should be able to confer with that Prime Minister directly and not through another British Minister as intermediary.

While the Conference supported the Australian Resolution, reservations were made in various quarters. The members were unanimous in disassociating the Resolution from any expression of dissatisfaction with recent Colonial Secretaries or with the work of the Colonial Office. The Prime Minister of New Zealand, speaking from his six years' experience, bore generous testimony to the latter as having been done "well, thoroughly and enthusiastically"; and the Australian Minister of the Navy referred to an occasion on which, after his department had attempted to short-circuit correspondence, he had tried again through the

Colonial Office when "we had very prompt despatch." He was of opinion that it would be necessary to define the cases in which there should be direct communication between the British and the Dominion Prime Ministers, and that, as a large section of the oversea correspondence had no specific relation to the Prime Minister, the channels of communication in such matters might very well remain where they were. The Canadian Prime Minister had already pointed out that it would be most undesirable to impose on the Prime Minister of the United Kingdom duties which he could only nominally discharge; and the New Zealand Minister of Finance expressed his complete disbelief in the possibility of that Prime Minister undertaking "the great and varied work which the Colonial Office had been doing for years past." In his opinion, if effect were to be given to the Resolution, it would be necessary that a special Minister should be detailed for the work, and that Minister should be the Secretary of State for the Colonies.

The Resolution as finally passed was:—“(1) That this Conference is of the opinion that the development which has taken place in the relations between the United Kingdom and the Dominions necessitates such a change in administrative arrangements and in the channels of communication between their Governments as will bring them more directly in touch with each other. (2) That the Imperial War Cabinet be invited to give immediate consideration to the creation of suitable machinery for this purpose.” The latter body responded to the invitation, and speedily passed two Resolutions:—

(1) The Prime Ministers of the Dominions, as members of the Imperial War Cabinet, have the right of direct communication with the Prime Minister of the United Kingdom, and vice versa.

• Such communications should be confined to questions of Cabinet importance. The Prime Ministers themselves are the judges of such questions. Telegraphic communications between the Prime Ministers should, as a rule, be conducted through the Colonial Office machinery.

(2) In order to secure continuity in the work of the Imperial War Cabinet, and a permanent means of communication during the war on the more important questions of common interest, the Prime Minister of each Dominion has the right to nominate a Cabinet Minister, either as a resident or a visitor in London, to represent him at meetings of the Imperial War Cabinet to be held regularly between the plenary sessions.

The greater part of the Resolutions adopted by the Conference had relation to matters of trade and commerce, such as the non-ferrous metal industry, the control of raw materials, Imperial statistics, the dye manufacturing industry, petroleum, shipping, and the Imperial parcels delivery service. It recommended early action in constituting an Imperial Court of Appeal, and co-operation in the provision of a State-owned cable across the Atlantic.

The next Conference took place in 1921, and like

its two predecessors it was not, in name, an Imperial Conference, being styled a "Conference of Prime Ministers and Representatives of the United Kingdom, the Dominions, and India." It was further differentiated by having a special Secretariat, on which the Colonial Office was represented, and by holding its meetings at 10, Downing Street; though several meetings of Special Committees for discussion of particular subjects were held at the Colonial Office under the chairmanship of the Secretary of State. Its proceedings were even more confidential than on previous occasions, and only a very brief summary was published, together with a few speeches and memoranda.

Constitutional relations, and the proposal of 1917 as to summoning a special Conference, again formed the subject of discussion at several plenary meetings, as well as at others in which the Prime Ministers alone participated. The conclusions reached were:—

(a) Continuous consultation, to which the Prime Ministers attach no less importance than the Imperial War Conference of 1917, can only be secured by a substantial improvement in the communications between the component parts of the Empire. Having regard to the constitutional developments since 1917, no advantage is to be gained by holding a constitutional Conference.

The Prime Ministers of the United Kingdom and the Dominions and the Representatives of India should aim at meeting annually, or at such longer intervals as may prove feasible.

The existing practice of direct communication

between the Prime Ministers of the United Kingdom and the Dominions, as well as the right of the latter to nominate Cabinet Ministers to represent them in consultation with the Prime Minister of the United Kingdom, is maintained.

The year 1923 saw the first Imperial Conference, labeled as such, that had met since 1911, and another constituent was added to it by the representation of the Irish Free State. No further resolutions were passed concerning the relations of the Dominions to the United Kingdom; but their international status was formally recognized in a lengthy Resolution in which the Conference recommended, for the acceptance of the Governments represented, a procedure to be observed in the negotiation, signature and ratification of international agreements. The principal points in the Resolution were: that no treaty should be negotiated by any of the Governments without due consideration of its effect on other parts of the Empire, or on the Empire as a whole; that before negotiations are opened, any of the Governments likely to be affected should be given the opportunity of expressing its views and, if desired, of participating in the negotiations; and that, as regards treaties negotiated at international conferences, the practice—already established at Paris and Washington—of signature by plenipotentiaries on behalf of all the Governments represented, should be continued.

It should be added, in view of recent discussions and fluctuations of policy in this country, that in the course of a long Resolution, passed after a survey

of the whole field of defence, the Conference took note of "the deep interest of the Commonwealth of Australia, the Dominion of New Zealand, and India in the provision of a naval base at Singapore, as essential for securing the mobility necessary to provide for the security of the territories and trade of the Empire in Eastern waters."

Chapter XVIII

CONFERENCE RESULTS

Looking back on what has been accomplished by the Colonial and Imperial Conferences, it seems incredible that public men should have been apprehensive of the results; and yet so experienced a statesman as Earl Granville—who in the previous year had been Secretary of State for the Colonies, and was now one of the leaders of “H.M.’s Opposition”—saw no impropriety in referring, in the course of his speech of welcome to the first delegates, to the “risks and difficulties” attendant on the decision of the Government to summon the Conference in 1887. In a manner which no one could have foreseen, the Conferences have not only followed a course of evolution as regards themselves, but have changed the character of British institutions and have even altered the form of international relations—and this (save, perhaps, on one occasion) without developing internal heat or friction.

In 1921 Mr. Lloyd George could tell the Conference that “there was a time when Downing Street controlled the Empire; to-day the Empire is in charge of Downing Street.” At the first meeting the Prime Minister (Lord Salisbury), while welcoming the delegates, made it plain that he was not there to take any leading share in the proceedings—which were a matter for the Colonial

Secretary. Now the Prime Minister presides over the Conference, by order of the Dominions, as *primus inter pares*. The constructive work of the Conferences has been almost wholly accomplished on the initiative of Dominion representatives; and for the most part—with the very important exception of defence—the British Government has been there to receive the demands of the Dominions and, as far as might be, to give effect to them—not always from conviction but as a proof of goodwill. Thus, even so energetic and far-seeing a statesman as Mr. Joseph Chamberlain—alive as he was to the importance of improving inter-Imperial communications—could tell the Conference that his Government would not, of themselves, have taken measures for the construction of an all-British cable or for a faster steamship service, and that what had been done in that direction had only been done to meet Dominion wishes.

It is not without interest to compare the parts played by the different Dominions in the Conference work. Throughout, Australia and New Zealand took the lead in fertility of suggestion and flow of oratory. In 1911, for example, New Zealand offered 20 Resolutions, Australia 12, and Canada one only. Sir Wilfred Laurier told that Conference that he had the happy privilege of representing there a country which had no grievances to set forth, had very few suggestions to make, and was quite satisfied with its lot; but that the Canadian representatives would approach with an open mind suggestions made by their colleagues in what the latter conceived to be the better interests of the

British Empire. Canada has generally shown herself more concerned with substance than with form; and it may be that in this respect her greater age, and the consciousness of her position in the Empire, have rendered her less sensitive on questions of status than some of her younger sisters. Whatever she has wanted she has got by direct negotiation with the British Government. She successfully vindicated her right to conclude commercial arrangements with foreign Powers. When she felt that her interests required the appointment of a Canadian Minister at Washington she carried her point, though the innovation, when first suggested, was calculated to make diplomatic hair stand on end.

It would, however, be altogether a mistake to suppose that Canada's weight in the Conferences is to be measured by the number of Resolutions offered by her. She was singularly fortunate in her representatives, for it is beyond question that they dominated the meetings. Sir Wilfred Laurier, and later Sir Robert Borden, exhibited in their utterances a dignity and felicity of expression which conveyed a sense of reserve power and mature statesmanship. Their colleagues instinctively turned to them for leadership in moments of difficulty, and when Canada saw fit to exert her influence it was almost invariably decisive.

The results so far attained by the Conferences fall under three main heads:—the better organization of the Empire for defence, the strengthening of the economic ties between its parts, and the political status of the Dominions within and without

the Empire. Although a disproportionate share of the burden of common defence still falls on the Mother Country, important progress was made in time of peace on both the naval and the military side. H.M.A.S. *Australia*, *Melbourne*, *Sydney* and *Brisbane*, with H.M.S. *New Zealand*, formed welcome additions to the fighting strength of the Navy during the war; and but for the work of successive Conferences the ships would not have been in existence, nor could the military war effort of the Dominions have attained its astonishing dimensions.

The absorbing interest of the constitutional developments has, perhaps, tended to divert attention from the work done in other directions; but if the economic results stood alone, the Conferences would have amply justified their existence. Steamship services have been speeded up; all-British cables have been constructed to Australia and New Zealand viâ Canada, and to the West Indies; and a scheme of Imperial wireless communication has been elaborated. The development of the Empire's mineral wealth has been promoted by the establishment, under Royal Charter, of the Imperial Mineral Resources Bureau. Imperial Shipping and Economic Committees have been appointed, and are turning out a series of Reports on specific shipping and economic questions. A Royal Commission to investigate and report on the natural resources and trade of the Empire, on which all the Dominions as well as the United Kingdom were represented, has visited each of the Dominions and has embodied the results of its enquiries in many bulky Blue

Books. A joint scheme of assisted emigration has been set on foot. The troublesome problem of double income tax has received partial solution. The Imperial Court of Appeal has been strengthened by the addition of Dominion judges to the Judicial Committee of the Privy Council, available for service in the House of Lords, and the procedure regulating appeals has been revised. Greater uniformity has been reached in Naturalization, Company and Copyright law, and the laws relating to Trade Marks and Patents. Though the desire of the Dominions for what they regard as the most potent instrument for welding the Empire together—reciprocal fiscal arrangements—has so far failed of effective response in the United Kingdom, it is not inconceivable that their views may have greater weight in the future. The idols of one generation are not infrequently to be found in the political dustbins of the next.

The British Empire is not exclusively composed of the United Kingdom and the Dominions, and those who are closely connected with the Colonies may be pardoned for considering that no scheme of Imperial organization will be complete that does not take into account the Colonial portion of the Empire. It was a fixed principle in Lord Milner's mind, to which on more than one occasion he gave effect, that every available opportunity should be taken to arouse Dominion interest in the Colonies; and the same view animated the Colonial Office in its efforts to promote closer commercial intercourse between Canada and the West Indies. In the past that interest has not been much in evidence on the

Dominions' side. Australia saw nothing incongruous in closing her ports, by a prohibitive duty, to a flourishing industry in Fiji, although that Colony was closely connected with her commercially and might have been thought to have strong claims to consideration.

Until recently the Colonies might have been non-existent so far as Conference discussions were concerned; but there are signs of a change in the outlook of the Dominion representatives. A new departure was made in 1921, when the Secretary of State for the Colonies gave to the Conference a necessarily brief but very interesting statement respecting the condition of the colonies and territories administered directly under the Colonial Office. It does not appear that the statement was productive of any comment; but when the Secretary of State's example was followed by his successor in 1923, according to the official report "a general discussion followed on various aspects of policy in regard to the development of the Colonial Empire and the mandated territories, and great stress was laid by the representatives and India on the economic importance of these parts of the world and, in particular, on the value to the Empire as a whole of the great tropical territories in East and West Africa and in Eastern Asia."

In their political results, the Conferences have transformed the status of the self-governing Colonies into that of Dominions which are now recognised as "sister nations" in the Empire. Their Premiers have established the right to communicate direct with their colleague of the United Kingdom. An

Imperial Cabinet has come into being in which they sit on terms of equality with British Ministers, and they have a consultative voice on questions of foreign policy. The war has given them an international status. At the Paris Peace Conference provision was made for the admission of Dominion representatives as part of the Empire's representation; several of them were made members of the Allied Commissions which considered the conditions of peace; the Treaty with Germany was signed on behalf of the four Dominions—Canada, Australia, New Zealand, South Africa—by their respective representatives; and these four became, by name, original members of the League of Nations. Three of them have received mandates from the League for the administration of former German territory. As at Paris, the British Empire Delegation to the Washington Conference included representatives of Canada, Australia and New Zealand.

Chapter XIX

THE DOMINIONS OFFICE

THE efforts of the Dominion Governments to bring about such a change in the administrative methods of the home Government as would give adequate recognition to their position in the Empire, have been described in chapters XVI and XVII. They have been set out in considerable detail in view of their important bearing on the Colonial Office, and indeed on Imperial relations. Even proposals made but set aside have their interest, as shewing the lines on which the leading spirits of the Empire moved, and the attempts to find a solution that would be satisfactory to all.

After the Conference of 1918 the matter remained in abeyance, so far as formal representations went, for six years. In 1925 the British Government took up the question on their own initiative; and on the 11th June the Prime Minister announced to the House of Commons that they had come to the conclusion that the existing organization of the Colonial Office was no longer in correspondence with the actual constitutional position in the Empire, and was inadequate to the extent and variety of the work thrown upon it. It failed, more particularly, to give sufficiently clear recognition to the profound difference between the work of communication and consultation with the

self-governing partner nations of the British Commonwealth and the administrative work of controlling and developing the Colonies and Protectorates for whose welfare the House was directly responsible. It was therefore proposed that the conduct of affairs with the Dominions should be under a new Secretaryship of State for Dominion affairs, with its own Parliamentary Under-Secretary of State, who would also act as Chairman of the Oversea Settlement Committee, and with a Permanent Under-Secretary of State.

Later in the Session, the Secretary of State for the Colonies (Mr. Amery) gave further explanations of what was proposed. The step had been taken as a recognition, justified not only by the general sentiment of the Dominions but also by urgent practical necessities, of the profound transformation which the whole of the Empire had undergone in the last generation. The developments of the Empire had inevitably had their reaction on our administrative machinery at home. The work of the Colonial Office had had to develop on two entirely different lines. On the one side had been the work of communication and consultation between the British Government and its partner Governments over the whole field of their mutual relations, and the common interests of the Empire as a whole. On the other hand had been the work of administration and development in that great Colonial area for which the House of Commons was still responsible. Those two spheres of work called for wholly different methods and different qualities of mind. The work of the Colonial Office had increased

beyond all measure in recent years, and the addition of Tanganyika, Palestine and Iraq had not diminished the strain. On the Dominions side, the work of keeping the Dominion governments posted on the progress of Imperial and foreign affairs was continually growing, while a wholly new Department, requiring the constant supervision of a responsible ministerial head, had come into being in connexion with Empire settlement.

The change now proposed was constitutionally as far-reaching as any advocate of the recognition of the new status of the Dominions could desire. The Secretaryship of State for Dominion Affairs and the Dominions Office would be constituted an entity entirely separate from the Colonial Secretaryship and Office, and would in future submit separate Estimates. For reasons of practical convenience the new Dominions Office would at present be housed in the Colonial Office, and the two Secretaryships of State combined in the same individual; but there was nothing to preclude the appointment of two individuals, if and when circumstances warranted such a step, or a combination of the Secretaryship for the Dominions with some other office. It had often been suggested that the importance of consultation with the Dominions should be recognized by assigning the work to the Prime Minister; but if it were realized how immense were the burdens thrown on a Prime Minister, no one would suggest that such an arrangement would secure such continuous attention to inter-Imperial affairs as if they were made the specific responsibility of another Minister. What was essential

was that the Prime Minister should regard Dominion affairs as a department over which his supervision should be peculiarly intimate and constant; and that object was secured by the practice, that would be unaffected by the present changes, of direct communication between Prime Ministers. The proposal had been welcomed by the Dominion Governments, and by public opinion in the Dominions, as evidence of the desire to recognize the constitutional status of the Dominions, and to improve the machinery of inter-Imperial consultation.

The statement was received with general approval, and within a few weeks effect was given to it in the manner foreshadowed—any breach of continuity being avoided by the way in which it was carried out. A new “Dominions Office” has come into being, to which a Parliamentary Under-Secretary of State has been appointed. The Office has been manned by the administrative staff hitherto forming the Dominions Division of the Colonial Office (which of course, thereby ceased to exist), one of whose members has been made Permanent Under-Secretary of State, with another as Assistant Under-Secretary. The housing of the new Department within the walls of the Colonial Office made possible the arrangement whereby the services of the Legal staff, the General department, the printing, copying and accounts branches, and the Library are placed at the disposal of both Offices.

The Dominions Office is at present organized in three departments, in the charge of Assistant Secretaries, dealing respectively with:—

(1) Foreign affairs, defence, consular and passport matters of a general nature, cables and wireless, censorship, prisoners of war, prize, honours and ceremonies, and Nauru ;

(2) Canada, the Irish Free State and Newfoundland, economic questions, naturalization, and merchant shipping ;

(3) The Commonwealth of Australia and the Australian States, New Zealand, the Union of South Africa, Southern Rhodesia, the South African High Commission, oversea settlement, and Asiatic questions.

No development was more unexpected than that which brought Irish business to the Colonial Office, and so to the Dominions Office ; and a brief note of the manner in which the change was effected may be of interest as shewing the official methods of meeting a wholly novel situation.

The Articles of Agreement between Great Britain and Ireland, which were signed on December 6th, 1921, by according the status of a Dominion to the Irish Free State, brought Irish affairs within the sphere of the Colonial Office. The Office of Chief Secretary for Ireland did indeed continue until September, 1922, when it was finally abolished ; but the Irish Office, which had hitherto been the London branch of the Chief Secretary's Office in Dublin, now became responsible to the Secretary of State for the Colonies in respect of matters arising in the Irish Free State, and to the Home Secretary in respect of Northern Ireland. The staff consisted of an Assistant Under-Secretary of State, an Assistant Secretary, four Principals and four

Assistant Principals, all of whom bore acting rank in both the Colonial Office and the Home Office, and a number of temporary subordinate officers.

Apart from the mass of miscellaneous administrative business (some of it raising constitutional questions of considerable importance) which arose in connexion with the transfer to the new Government of the functions and property of the old, the bulk of the Department's work consisted of the disbandment and resettlement of the Royal Irish Constabulary, and the payment of compensation to those who had suffered injury to person or property in the disturbances prior to the birth of the new Dominion. The settlement of these claims for compensation involved the payment by the Colonial Office of approximately £8,500,000, mainly in comparatively small amounts.

On April 1st, 1924, the Irish Office, as a department dealing with the whole of Ireland, finally ceased to exist—the work being absorbed into that of the Colonial Office and the Home Office respectively. The post of Acting Assistant Under-Secretary, responsible to both Offices, was abolished, and the Irish branch of the Colonial Office was brought under the Assistant Under-Secretary of State in charge of the Dominions Division. With the settlement of the constitutional questions inseparable from the creation of a new Dominion, and of the special problems peculiar to Ireland, and with the rapid diminution of the temporary business arising out of matters such as compensation and the transfer of services, it has now become possible to bring the Irish work into line with that of the other Dominions.

Of the staff engaged wholly on Irish affairs, who at one time numbered over 100, only a few still remain, all of whom are temporary and are employed in completing the work of compensation. All other business in connexion with the Irish Free State is now dealt with as part of the ordinary work of the Dominions Office.

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